# PB# 93-37

# I.D.C. Soil Reclamation

9-1-98

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Planning Board
Town Hall
555 Union Ave.
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NO. 93-37 Quaust 26, 1994

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"THE EFFICIENCY LINE" AN AMPAD PRODUCT

Account Total \$ 280.30

Planning Board
Town Hall
555 Union Ave.
New Windsor, N.Y. 1255

**TOWN OF NEW WINDSOR** 555 Union Avenue New Windsor, NY 12550

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Planning Board
Town Hall
NO. 93-37
555 Union Ave.
New Windsor, N.Y. 1255 D.

RECEIVED FROM Dra O. Comblex & Sons, Onc.

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Amount Paid \$2,930.60

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"THE EFFICIENCY-LINE" AN AMPAD PRODUCT

### TOWN OF NEW WINDSOR



555 UNION AVENUE NEW WINDSOR, NEW YORK

2 March 1994

SUBJECT: IRA D. CONKLIN (IDC) SITE PLAN

TOWN OF NEW WINDSOR, NEW YORK (P/B REF. NO. 93-37)

#### To All Involved Agencies:

The Town of New Windsor Planning Board has had placed before it an Application by Ira D. Conklin & Sons, Inc. for a proposed soil reclamation facility located off River Road within the Town. The project involves the development of the facility on an existing 4.4 +/- acre development parcel, located to the east of River Road. It is the opinion of the Town of New Windsor Planning Board that the action is an unlisted action.

This letter is written as a request for Lead Agency coordination as required under Part 617 of the Environmental Conservation Law.

A letter of response with regard to your interest in the position of Lead Agency, as defined by Part 617, Title 6 of the Environmental Conservation Law and the SEQRA Review Process, sent to the Town of New Windsor Planning Board, 555 Union Avenue, New Windsor, New York 12553, Attention: Mark J. Edsall, P.E., Planning Board Engineer (contact person), would be most appreciated. Should no other involved Agency desire the Lead Agency position, it is the desire of the Town of New Windsor Planning Board to assume such role. Should the Planning Board fail to receive a response requesting Lead Agency within thirty (30) days, it will be understood that you do not have an interest in the Lead Agency position.

All Involved Agencies Page 2, Ira D. Conklin

Attached hereto is a copy of Sheet 1 of the site plan, with location plan, for your reference. A copy of the Full Environmental Assessment Form submitted for the project is also included.

Your attention in this matter would be most appreciated. Should you have any questions concerning this project, please do not hesitate to contact the undersigned at (914) 562-8640.

Very truly yours,

TOWN OF NEW WINDSOR PLANNING BOARD

MARK J. EDSALL, P.E. PLANNING BOARD ENGINEER

#### Enclosure

CC: NYS Department of Environmental Conservation, New Paltz
NYS Department of Environmental Conservation, Albany
New York State Parks, Recreation and Historic Preservation
NYS Department of Transportation, Poughkeepsie
Orange County Department of Health
Town of New Windsor Supervisor
Town of New Windsor Town Clerk
Orange County Department of Planning
State Clearing House Administrator
NY District Office, US Army Corp. of Engineers
Applicant (w/o encl)
Planning Board Chairman
Planning Board Attorney

A: CONKLIN.mk

# JOHN COLLINS ENGINEERS, P.C. TRAFFIC-TRANSPORTATION ENGINEERS

= 1 1 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266 =

September 2, 1997

Mr. Mark J. Edsall, P.E.
Town Engineer
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: TPS Technologies

River Road

Town of New Windsor, NY

#### Dear Mark:

We have scheduled additional noise measurements for Wednesday, September 10<sup>th</sup> at the River Road facility. The purpose of these measurements is to identify current noise levels at the site and adjacent areas. We plan to meet at the site at 4:30 PM and will continue measurements for a couple of hours.

You are welcome to attend these measurements. By copy of this letter we are also notifying Bobby Rodgers.

Sincerely,

JOHN COLLINS ENGINEERS P.C.

Philip J. Grealy, P.E.

cc: David Edwards, TPS Technologies, Inc.

Bob Rodgers, Town of New Windsor

Bob McGrew, TPS Technologies, Inc.

## TOWN OF NEW WINDSOR cc.

1763

555 UNION AVENUE NEW WINDSOR, NEW YORK 12553 (914).563-4610 FAX 914-563-4693 m. Baback P. Cretty

OFFICE OF THE SUPERVISOR

May 24, 1995

Mr. Bob Cavaluzzi Citizens with Environmental Concerns PO Box 222 Vails Gate, NY 12584-0222

Dear Mr. Cavaluzzi,

I received two letters at my office today. Both pieces of correspondence were signed by you. The dates on the letters were May 10, 1995 and May 17, 1995.

The Clean Earth project and the Ira D. Conklin project are both still under review by the New York State Department of Environmental Conservation. The Town of New Windsor Planning Board has had a meeting with Clean Earth representatives on May 10, 1995 at their regularly scheduled meeting. The minutes of that meeting are being reviewed by our attorney. Ira D. Conklin representatives are currently scheduled to go before the Town of New Windsor Planning Board on June 28, 1995.

The complaint you filed with the Town of New Windsor Building Inspector, Mike Babcock, was referred to one of our Town Engineers, Mark Edsall. On May 18, 1995 Mark Edsall submitted a memorandum to Mike Babcock regarding a Clean Earth project site review performed by Mr. Edsall. He commented on your complaint and recommended that New York State Department of Environmental Conservation review the situation to determine if a violation exists.

On May 23, 1995, I spoke with the New York State Department of Environmental Conservation representatives who stated they conducted a site visit to Clean Earth the week of May 15, 1995. I questioned them regarding the issue you raised and they informed me that they did not consider your concerns valid.

I will be speaking to the New York State Department of Environmental Conservation Regional Director the end of this week to ascertain what direction they are taking regarding this issue.

There are no public hearings scheduled on this issue, since the concerns have been already raised and are being addressed. I suggest that you call Mike Merriman (256-3042) at New York State Department of Environmental Conservation if you have any further questions regarding soil erosion at the Clean Earth site.

Mr. Bob Cavaluzzi Page 2

If you need any other issues addressed, please feel free to call my office.

George J. Meyers, Supervisor Yown of New Windsor

GJM/dg

cc: M. Edsall M. baboock P. Gatty

MAY 23 " -

10 tiplication 1 27(615015-1

Citizens United for a Responsible Environment (C.U.R.E.)
P. O. Box 1222
Vails Gate, New York 12584-0222
May 10, 1995

George Meyers: Supervisor Town of New Windsor 555 Union Avenue New Windsor, N. Y. 12553

Dear George:

Thank you for arranging for a public meeting with the D.E.C.and some of our concerned elected officials on Thursday, April 20th at the Temple Hill School.

We were proud of our community as it respectfully voiced it concerns regarding the impact of the incineration of contaminated soil upon New Windsor with the proposed location and development of two incineration facilities within the Towm's limits. We refer specifically to James McGrane's Clean Earth Inc. Operation on Mertes Lane and Ira Conklin's facility on River Road.

Please give us an update on what is occurring at both facilities and when another public meeting can be scheduled to discuss these two operations in the Town of New Windsor.

Once again, we thank you for your co operation in the past and look forward to hearing from you so that we may inform the more than one thousand five hundred people who have signed our previous petition. We, the Citizens United for a Responsible Environment (C.U.R.E.), believe it is important to inform our community that our Town's elected officials do indeed welcome and, in fact, are listening to their voices of concern.

We look forward to hearing from you.

Bob Cavaluzzú

Citizens for a Responsible Environment (C.U.R.E.)

cc:Jean Ann Mc Grane Senator William Larkin Assemblywoman Nancy Calhoun

### IUWN OF NEV. ......



555 UNION AVENUE NEW WINDSOR, NEW YORK 12553 (914) 563-4610 FAX 914-563-4693

OFFICE OF THE SUPERVISOR

CC: SIB numbus)

M. Edsall

M. Baback

P. Crotty

A. Krucyu

Z. Petro

May 26, 1995

New York State Department of Environmental Conservation 21 South Putt Corners Road New Paltz, NY 12561

ATTENTION: MS. JEAN-ANN MCGRANE

SUBJECT:

CLEAN EARTH, INC. SITE PLAN

NEW WINDSOR PLANNING BOARD NO. 91-20

Dear Ms. McGrane,

As you are aware, officials of the Town of New Windsor have expressed significant concerns both with regard to the Clean Earth operation as reviewed by your Department, as well as the conditions currently existing at the site. Recently, the Town's Consulting Engineer, Mark J. Edsall, P.E. of McGoey, Hauser and Edsall Consulting Engineers, P.C., visited the site with one of the Town's Code Enforcement Officers. This visit was made pursuant to receipt of a complaint at the Building Inspector's office from a concerned citizen.

The substance of the complaint involved a concern that erosion was occurring at the site, including same from a large material stockpile area at the west end of the site. Mr. Edsall advises me that the stockpile appears to include construction and demolition type materials. Since the Town is not aware of the source of this material, we are unaware if any further, and possibly environmentally hazardous, contamination exists. Mr. Edsall indicates that the property owner has installed no soil erosion prevention measures whatsoever, further indicating that silt and erosion runoff is currently being directed to a stormwater culvert crossing under Mertes Lane. He advises me that New York State Freshwater Wetlands CO-9 exists on the north side of Mertes Lane, which is where the stormwater culvert discharges.

Ms. Jean-Ann McGrane Page 2

The purpose of this letter is to bring these concerns and observations to your attention for whatever action you deem appropriate.

Very truly yours,

George J. Meyers, Supervisor

Town of New Windsor

GJM/dg



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E.

30 August 1995

### 93-37

- ☐ Main Office 45 Quassaick Ave. (Route 9W) New Windsor, New York 12553 (914) 562-8640
- ☐ Branch Office 507 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

#### MEMORANDUM

TO:

Michael Babcock, Town Building Inspector

FROM:

Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT:

IRA D. CONKLIN SITE PLAN

FIELD COMPLETION REVIEW - 8/29/95

This memorandum shall confirm our field review on the afternoon of 29 August 1995 of the subject site. The site review was held relative to the plans stamped approved by the Planning Board on 10 January 1995, as well as the subsequent amendments thereto.

An overall review was made of the site as completed. It was noted that the overall site is in substantial conformance with the site plans approved by the Planning Board. Some items which should be noted for the record are as follows:

- 1. In some areas, the project landscaping has been slightly modified to suit the final grading of the site, and adjusted to address modifications of the amendment. In some areas additional landscaping was provided and in other areas some deletions were made. In most cases, relocations of plantings were accomplished to generally maintain the approved density. Planting spacing between individual plantings was adjusted, in some cases, to suit the recommendations of the landscaper, to insure proper growth of the plantings. In conclusion (for this item), it is believed that the general intent of the landscaping plan has been maintained.
- 2. It should be noted that the gabion walls depicted on the plans for the north side of the property have been replaced with rip-rap finish in some areas and sheet piling in other areas. The finish seems suitable for the area.
- 3. Also along the north side of the site, the guard rail has been eliminated. The chain link fence remains, which delineates the top of the slope. The Applicant believes the guard rail is not necessary.

#### MEMORANDUM PAGE 2

- 4. The handicapped access for the office building requires corrective work. The sidewalk ramp slope does not comply with ANSI and State requirements. The lip between the concrete curb drop and the asphalt pavement is excessive. The handicapped parking space delineation on the pavement was not painted in the required blue color. This must all be corrected.
- 5. As indicated on the site plan, the traffic circulation around the main process building is one-way, in a clockwise direction. Pavement markings delineate this circulation. It has been recommended that (in addition to the pavement markings), at minimum, one "Do Not Enter" sign be provided at the southwest corner of the building. The project owner indicated that he agreed and would install same.
- 6. It should be noted that the sewer ejector for the project has been re-located interior to the building, rather than outside at the northeast corner, in a recessed area of the building. The northeast corner is now occupied by the power transformer for the building.
- 7. It should be noted that the project sign has not yet been installed.

Mike Babcock and I advised the Applicant that we would be awaiting reports and/or correspondence from the Town Water Department, Town Sewer Department, NYSDOT and NYSDEC as to their determination of acceptability of the completed construction. It is anticipated that each of these reports will be available before the Certificate of Occupancy is issued.

It is also noted that the Planning Board, as part of their review of the amendment of the site plan, requested that an as-built survey be prepared and submitted to the Board. Apparently, the NYSDEC is also requesting a copy of this as-built plan. Once this plan is received, and by copy of this memorandum to the Planning Board Chairman, should any of the field adjustments indicated above or the details of the as-plan require further review or consideration by the Planning Board, I am sure Chairman Petro will advise us of same.

Respectfully submitted,

Mark J. Edsall, P.E. Planning Board Engineer

MJEmk<sup>1</sup>

cc: James Petro, Planning Board Chairman

A:8-30-2E.mk

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## RESULTS OF P.B. MEETING

DATE: <u>June 28, 1915</u>

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WAIVED: YESNO	
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SEND TO DEPT. OF TRANSPORT: M)_S)_ VOTE:A_ N_ YES_ NO	
DISAPP: REFER TO Z.B.A.: M)_S)_ VOTE:AN_ YESNO	
RETURN TO WORK SHOP: YESNO	
APPROVAL:	
M)_S)_ VOTE:AN_ APPROVED:	
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NEED NEW PLANS: YES NO	
DISCUSSION/APPROVAL CONDITIONS:	
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RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E.

24 August 1994

#### **MEMORANDUM**

☐ Main Office

(914) 562-8640

☐ Branch Office
507 Broad Street

(717) 296-2765

45 Quassaick Ave. (Route 9W) New Windsor, New York 12553

Milford, Pennsylvania 18337

TO:

Myra Mason, Planning Board Secretary

FROM:

Mark J. Edsall, P.E., Planning Board Engineer

**SUBJECT:** 

IRA D. CONKLIN SITE PLAN

NEW WINDSOR PLANNING BOARD NO. 93-37

I have reviewed the minutes for 27 April 1994 relative to the conditional approval granted to the subject project. As I understand it, four (4) conditions of approval were assigned. The following are the four (4) items and their status:

- 1. Sewer Department Approval Updated departmental review sheet dated 5-9-94 has been issued, indicating approval.
- 2. Additional Noise Data for Full EAF I have received supplemental information from Phil Grealy, P.E. of John Collins Engineers which indicates compliance with the Town Code provisions.
- 3. Noise Barrier A note has been added to the approval plans indicating that the noise barrier must be in place during unit operation.
- 4. Siltation Prevention The plans now include soil erosion and sediment control details and a plan.

Based on the above, it is my understanding that all conditions of approval have now been satisfied. As well, I have received the site plan construction estimate from Shaw Engineering, dated 19 May 1994. I have reviewed this estimate and it is my recommendation that same be decreased to an amount of \$96,530.00. The inspection fee should be paid on this amount.

Once this fee and any other outstanding fees are paid, it is my opinion that the site plan can be stamped approved by the Board.

Respectfully submitted,

Mark J. Edsall, P.E.

Planning Board Engineer

MJEmk

A:8-24-E.mk

8/26/94 @



ac: A. Kriaw- bay

August 31, 1995

SED - Q LUC BECLINED

James Petro, Planning Board Chair James Nugent, ZBA Chair Town of New Windsor 555 Union Ave. New Windsor, N.Y. 12553

Dear Mr. Petro and Mr. Nugent:

Orange Environment has, for some time, been working with a local organization from New Windsor named Citizens United for a Responsible Environment on matters relating to soil incineration plants. We have serious concerns about such plants because they may entail significant adverse environmental impacts and because neither New York State nor your community have taken advantage of the State Environmental Quality Review Act in order to examine these potential impacts in full and comprehensive manner.

On the basis of our review of documents released under FOIL to CURE, we have several questions. First, the Short Environmental Assessment Form submitted by an engineer for the applicant (dated November 1, 1993 and then redated August 18, 1994) acknowledges potential adverse environmental impacts. Were these impacts fully assessed and weighed by the boards before they took action on this matter? We have seen reference to a full EAF, but this was not released to CURE. We request this EAF under FOIL.

Furthermore, there is concern regarding the advertising of this action. While IDC's engineer Gregory Shaw had described the project as "Reclamation of soil by incineration" on the Short EAF, the Planning Board's "legal notice" form of April 11, 1994 only mentions the name "I.D.C. Soil Reclamation" but omits the all important detail about incineration and in no way describes the project. In the ZBA's public notice published in The Sentinel on 10/12/94, the project is described merely as "construction of office and storage building in P.I. zone with less than the allowable front yard and more than the allowable building height." Based upon these notices, the public was not alerted to the intended use of the proposed building. Potentially concerned citizens who may have commented had they known the intent for this project were deprived of that opportunity by virtue of the wording. Because extensive public concern now exists, we bring this matter to your attention along with a request that the Board's reopen all hearings and reconsider all matters for which legally required opportunities for public

1/5/95-0

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input was lost due to improper and insufficient notice. In addition to the matter of the notice, the negative declaration issued in this matter fails to adequately address the potential adverse environmental impacts involved, such as we have illustrated above. We, therefore, request that the Board reopen its review under SEQRA.

The combination of the lack of informed public notice with the negative declaration issued for this matter raises the possibility that the public of New Windsor has not been adequately protected in your respective Board's actions. Reclamation of soil by incineration is a relatively new technology. The potential for air quality problems, for traffic and noise impacts, for inadequately monitored handling and disposal of hazardous materials, for area contamination through escape of contaminated soils, and for other adverse outcomes is inherent in this project. Furthermore, unpermited outcomes were found with the same company's mobile unit just recently in the town of Newburgh, where serious fugitive emission problems exposed the community to materials being reclaimed and where proper community notice was not given.

In sum, please revisit these matters. I look forward to learning of your Boards' conclusions.

Sincerely,

Michael R. Edels Hom Michael R. Edelstein, Ph.D.

President, Orange Environment, Inc.



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E.

30 August 1995

#### ☐ Main Office 45 Quassaick Ave. (Route 9W) New Windsor, New York 12553 (914) 562-8640

☐ Branch Office 507 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

#### **MEMORANDUM**

TO:

Michael Babcock, Town Building Inspector

FROM:

Mark J. Edsall, P.E., Planning Board Engineer

SUBJECT:

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#### MEMORANDUM PAGE 2

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Respectfully submitted,

Mark J. Edsall, P.E.

Planning Board Engineer

**MJEmk** 

cc: James Petro, Planning Board Chairman

A:8-30-2E.mk



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E.

22 April 1996

#### ☐ Main Office 45 Quassaick Ave. (Route 9W) New Windsor, New York 12553 (914) 562-8640

☐ Branch Office 507 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

#### **MEMORANDUM**

TO:

George J. Meyers, Town Supervisor

FROM:

Mark J. Edsall, P.E., Town Consulting Engineer

SUBJECT:

TPS TECHNOLOGIES, INC. "STACK TEST" BURN

FIELD OBSERVATIONS 18 APRIL AND 19 APRIL 1996

MHE JOB NO. 87-56.2/T93-37

As per your request, on 18 April 1996 and 19 April 1996 the undersigned and Michael Babcock, Town Building Inspector, visited the TPS Technologies (Ira D. Conklin) site during a portion of the time where a "Stack Test" run was being performed under the review of the New York State Department of Environmental Conservation.

For the test burn, the plant was being run by Galson Company of East Syracuse, with the cooperation of TPS representatives. The operations were being observed and tests being taken by representatives of the New York State Department of Environmental Conservation, with additional testing samples being taken by TPS. The laboratory being utilized was Envirotest Labs of Newburgh, New York. Present from TPS during our observations were David A. Edwards, P.E., Facility Manager and Blair W. Dominiak, Manager of Regulatory Compliance.

On 18 April 1996 sand "spiked" with no lead and sand "spiked" with low lead gasoline was being introduced into the process. Rate of application was approximately 25 tons per hour, with sampling being taken at multiple points in the stack. Sampling includes, but is not limited to, NOx, carbon monoxide, total particulates, sulfur dioxide, benzene and lead.

During our discussions with Dave Edwards, he advised that they had performed a noise evaluation regarding the operations, with all results being below or at the compliance threshold for the Town Law. He advised us that they had identified two (2) equipment items which were

#### MEMORANDUM PAGE 2

contributing to the higher levels for certain octave bands; TPS has decided to install noise insulation materials to these two (2) equipment items so as to lessen their noise generation and bring the overall site to an operation point well below the noise limits of the Town Code. As well, Dave Edwards indicated that they would provide a noise "curtain" at the bottom of the building doors to also lessen noise generation while the doors are open.

We also visited the site on 19 April 1996. At the time of our visit, TPS was processing clayey soil materials spiked with fuel oil. Based on our observations of the operating equipment, it appears that a processing rate of approximately 15 tons per hour was occurring. Generally, the operation appeared nearly identical to the previous day's operations. While we were on site on 19 April 1996 we had the opportunity to review and discuss the operation with Mike Merriman of NYSDEC. At the time we left the site, NYSDEC representatives were conferencing to discuss the ongoing operations and test. No test data was available from the operations at this time; therefore, we may wish to request same once the final results are distributed.

Respectfully submitted,

Mark J. Edsall, P.E.

Town Consulting Engineer

**MJEmk** 

•

cc: Michael Babcock, Town Building Inspector James Petro, Planning Board Chairman

A:4-22-E.mk

#### IRA D. CONKLIN SITE PLAN (93-37) RIVER ROAD

James Loeb, Esq., Gregory Shaw of Shaw Engineering and Ira D. Conklin, III appeared before the board for this proposal.

MR. LOEB: My name is still James Loeb and I'm appearing tonight for Ira D. Conklin and Sons, Inc. I'm accompanied tonight by Ira D. Conklin, III and by John Ewasutyn from Ira D. Conklin and Sons and by Greg Shaw, our design professional, engineering professional. My client is the contract purchaser of property on River Road. It consists of 4.44 acres, the owner is Canada Oil Corporation. The owner has signed a proxy permitting us to appear before you. You may know it as the Norman Shotmeyer Terminal and the tax maps, it's section 9 block 1 lot 98. It's zones PI. We're before you tonight starting at the review procedure leading to site plan approval for a soil reclamation facility. We seek to locate a soil recycling unit on the property. We'll be calling it from time to time an SRU. Our papers will discuss it in that way. We'd like to introduce the project to you this evening. We'd like to initiate the SEQRA procedure by your assuming lead agency status. believe this to be an unlisted action. We filed a short form. I'm sure that you will ask us to supplement us with a long form which we'll be doing. I'm going to ask Greg in a moment to review the site plan with you that is up there. I'm then going to ask Ira Conklin to go over with you the operation of the (soil recycling unit and after those presentations are through, I'm going to refer the board to a letter that I wrote in October when we had hoped to be able to present this to you, that letter tells you that we're filing and have riled with the DEC because the DEC has jurisdiction over this as well for permission and one of the DEC's requirements is that this unit an actual test on the site that we propose to locate it on and one of the things I'm going to ask you to consider when you hear how the unit works is to agree that a test would be appropriate. We had thought that the DEC and my letter says so would schedule a test in November as you can see, we're still waiting to hear from the DEC

John John



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E.

26 January 1996

Ira D. Conklin & Sons, Inc. 92-94 Stewart Avenue P.O. Box 7457 Newburgh, New York 12550

**ATTENTION:** 

IRA D. CONKLIN, III, PRESIDENT

**SUBJECT:** 

I.D.C. SOIL RECLAMATION SITE PLAN

NWPB NOS. 93-37, 94-23 AND AMENDMENTS

☐ Main Office

(914) 562-8640
☐ Branch Office
507 Broad Street

(717) 296-2765

45 Quassaick Ave. (Route 9W) New Windsor, New York 12553

Milford, Pennsylvania 18337

#### Dear Ira:

This letter is being written to supplement and correct information provided in our previous letter to you dated 15 January 1996. Subsequent to issuance of that letter, we have received your letter of 18 January 1996 and have reviewed the record information concerning the subject applications. Based on that review, it appears that note no. 11 included on the amended utility plan (Application No. 94-23) included an error which modified the hours of operation previously approved by the Town Planning Board. Based on our review of the Town records, and as accepted by the Planning Board at their meeting of 24 January 1996, the hours of operation, as previously approved by the Planning Board (per Note 11 on 93-37 application drawing), are as follows:

"I.D.C. will accept and transport soil between the hours of 6:00 a.m. to 6:00 p.m., Monday through Friday. I.D.C. will operate the soil remediation unit only within hours of 6:00 a.m. to 10:00 p.m., six days per week. This excludes maintenance on the unit."

Ira D. Conklin & Sons, Inc.

Page 2

26 January 1996

We are hopeful that this appropriately corrects and clarifies the approval as granted by the Town Planning Board, correcting the information referenced in our 15 January 1996 letter.

If you have any further questions regarding the above, please do not hesitate to contact the undersigned.

Very truly yours, .

McGOEY, HAUSER and EDSALL CONSULTING ENGINEERS, P.C.

Mark J. Edsall, P.E.

Town Consulting Engineer

**MJEmk** 

cc: George J. Meyers, Town Supervisor

TPS Technologies, 81 River Road, New Windsor, NY

James Petro, Planning Board Chairman

A:CONKLIN2.mk

#### TPS

MR. LUCAS: Two quick items, one TPS, that project, if you read this, they finished it up last week and I guess they had 30 days to notify us we were one of the agencies they had to notify.

MR. PETRO: Was that the work they did to rehab their burner?

MR. EDSALL: Yeah, I'm not sure what the condition was but I reviewed that with the Supervisor.

MR. LUCAS: That is done. On the other thing Tom Petro, no relation to Jim Petro, of Garden Drive, called me and said they are bringing fill into Ceasar's Lane, to the property on the corner of Ceasar's and 9W where they have a mining permit to take it out, now they are bringing fill in, he didn't know if it's proper to do.

MR. PETRO: I haven't really noticed that, obviously I'm there.

MR. LUCAS: I think they are bringing the fill from TPS because it is that black soil.

MR. BABCOCK: I can check that out.

MR. LUCAS: He asked me to bring it in front of the board again but I have an idea that is where it's coming from is TPS.

MR. PETRO: Anybody out there?

MR. LANDER: No, nobody at all.

MR. PETRO: I have one other item, I just wanted to ask Michael, New Windsor Mall there across from Shop Rite, I had mentioned about the parking, the striping it still isn't done, has anybody ever contacted the owner?

MR. BABCOCK: Yes, we have, he explained to us that for snow removal he takes the wheel stops out and removes those and that he'd be putting those back in the very

near future because we didn't have very much snow this year, he's going to restripe the parking lot and that he would talk to Bob Rogers as far as the no parking, stopping, standing signs.

MR. PETRO: Which need to be opposite the parking because people parallel park on the front of it and if you are parked in the, you know, the striped parking which is supposed to be there, you can't get out.

MR. BABCOCK: He was very willing to work with us and just a matter for snow removal.

MR. PETRO: So you are working on it?

MR. BABCOCK: Yes.

MR. PETRO: Anybody else have anything? Motion to adjourn.

MR. STENT: Motion to adjourn.

MR. LUCAS: Second it.

ROLL CALL

MR. ARGENIO AYE
MR. STENT AYE
MR. LANDER AYE
MR. LUCAS AYE
MR. PETRO AYE

Respectfully Submitted By:

Frances Roth Stenographer

#### CONKLIN - RIVER ROAD

MR. LUCAS: This has to do with the soil thing down on River Road. I have been working on my property which is right across the street from there and a couple things that we had mentioned at the last public hearing with them, one, the door never closes, they said that they would address that problem. I had Mr. Lander come down and I have been there for six hours a day, never saw the door come down once. I asked if they can keep the dust down the best they could, the dust is getting worse. And the noise level because of the doors being open just not fair to the area, the people in the area and I'd like the board either we send a letter or what, I don't know.

MR. LANDER: Well, Mr. Chairman, I was there with Mike and the back door was closed to that building, back doors closed, front doors open. Why not open the back door, keep the front closed, let the noise go to the river. I mean, I was there, the thing is noisy.

MR. KRIEGER: Aren't you worried if the noise went to the river, the Scenic Hudson people would complain?

MR. LANDER: I don't care, those people don't pay any taxes, we're concerned about the taxpayers in New Windsor, somebody had gone over there and asked them that their backup alarms were annoying them, this was a resident, so what did they do, they unplugged the backup alarms, so now they have got machines running back and forth inside with no backup alarms, which is against the safety regulations.

MR. BABCOCK: Ron, just one thing and I was down there about the backup alarms and they got new backup alarms the day I was there on the loader, it's much quieter but it meets the requirement.

MR. LANDER: When was that, Mike?

MR. BABCOCK: Early on.

MR. EDSALL: Right after the first complaint about the backhoe.

MR. LANDER: I was there last week, backup alarms you have got to be able to hear it, now I'm only 100 feet away, 150 feet away and I couldn't hear it and that machine came all the way to the front of that building.

MR. EDSALL: They might of taken further action since we were there.

MR. LUCAS: The only concern that I had I talked to Ronny about, I noticed that they can't, of course they, when it goes into the soil burner, they can't burn the rocks, they have a screen that separates the rocks first from the soil that has to be treated, those rocks are going into a LaMella dumpster, they are not treated in any way, where do they go if they are not treated and already part of the soil, where do they go?

MR. EDSALL: That is DEC's problem to be honest with you.

MR. LUCAS: That is it.

MR. EDSALL: Relative to the noise and the dust issues, the supervisor has, myself, the town attorney, the assistant fire inspector and with some assistance from Mike Babcock looking into the noise issue as to best address that so there's going to be some action taken on that probably very shortly.

MR. PETRO: In lieu of us sending a letter, let them continue.

MR. EDSALL: Just so you know there's some activity on that, the other issue about the dust, I really believe that it would behoove the town to have, if there are dust problems, complaints, written complaints because I don't know that there are any on record right now and that I think is also a violation of the town ordinance which if they receive a number of complaints and are able to go down and document that it is really occurring, I would think then that the town could issue an order to recommend a remedy on that as well.

MR. LANDER: Mr. Edsall, I was the down there, I spoke

to one resident, you know what his reply was, I said you have to complain in writing, I said, and if you can get a petition up that would be even better yet, signed by everybody that is having a problem with this. know what he told me, most of the people here are older people, they don't want to get their houses burned down. And I just looked at him, I said what are you talking about? He said they are afraid of repercussions. I said tell them not to be afraid of anything, be afraid of the dust, noise and everything else but that was, they wouldn't do it.

MR. PETRO: So you are handling it, working on it?

MR. EDSALL: Actually, Supervisor Meyers has assigned that job to Assistant Fire Inspector, Mr. McDonald so and we're just here to provide him with some technical assistance.

MR. DUBALDI: Motion to adjourn.

MR. LUCAS: Second it.

ROLL CALL

MR.	DUBALDI	AYE
MR.	STENT	AYE
MR.	LANDER	AYE
MR.	LUCAS	AYE
MR.	PETRO	AYE

Respectfully Submixted By:

Stenographer

#### TPS

MR. LUCAS: Very quickly, I was going to ask Mike but there's, I understand there's a project on River Road from TPS where the old house is on the left and he put a new road in, I don't know if you noticed that or not, they put roads in and they put, it's supposed to be a lawyer and doctor's office from what I understand they have got cuts in the road.

MR. EDSALL: The house that has the piece of plywood with the street number painted on it?

MR. LUCAS: Yes.

MR. EDSALL: I believe it's the same site as the person came into the workshop and asked questions and we told them that any change in use of the property would require an application being made.

MR. LUCAS: He's developing that, it's all leveled, there's roads, he's putting gravel in now.

MR. KRIEGER: Doesn't the statute require that before even grading?

MR. LANDER: He didn't make a formal application.

MR. EDSALL: Didn't make an application.

MR. BABCOCK: We'll check him out.

MR. EDSALL: I'm sure we can check that out.

MR. LUCAS: That is it.

MR. LANDER: Motion to adjourn.

MR. DUBALDI: Second it.

ROLL CALL

MR. DUBALDI AYE MR. STENT AYE MR. LANDER AYE

MR. LUCAS AYE MR. PETRO AYE

Respectfully Submitted by:

Frances Roth Stenographer TPS

MR. EDSALL: Just a note of interest, the people over at TPS are performing noise evaluations of their operation and that is where I was before I came here and that is where I am going now. We did have at least one passerby scream messages to us, probably he didn't know I was not an employee of TPS but nonetheless, when we get those results, I will advise this board and obviously, the supervisor, who is asking that I personally monitor all of it.

MR. LANDER: Mark, is it a fact that the door cannot be shut?

MR. EDSALL: The door when it's shut doesn't touch the ground.

MR. LANDER: It's a few feet short, like about what ten.

MR. EDSALL: At least six or eight but from the bottom of the door down is a very heavy canvas tarp and what I'm doing right now is making them perform the testing, the evaluations while all the equipment is operating, including the loader. They just finished with the door up, now it's with the door down and the tarp up and they had some problems and now when I go back, they are going to try to do it with the tarp down as well.

MR. LANDER: That is why they can't close the door, Mr. Chairman, there is no bottom to it.

MR. LUCAS: Was it designed that way?

MR. EDSALL: Apparently for some reason, instead of having a solid door all the way to the ground, the door has the bottom section being canvassed instead of a solid door.

MR. LANDER: Why, to let the noise and dust out.

MR. EDSALL: Well--

MR. LUCAS: When they submitted the plans, did they

have canvas door?

MR. EDSALL: Planning board gets site plans, so I don't believe that you would have ever known. The point is if they don't meet the noise ordinance with this canvas thing hanging down, they've got a problem.

MR. LANDER: Mark, they can't shut the door as far as I'm concerned they said that the door would be shut, the door in the back shuts all the way.

MR. PETRO: You can't put blame on the building department when they reviewed the plans, you would assume that when someone says they are putting up a garage door, that it would go from the ceiling to the floor.

MR. EDSALL: I don't think that the code requires that you have a door that touches the ground, the code requires that you meet the noise ordinance. If they meet the noise ordinance with the canvas, the discussion's over. If they don't, they have a problem.

MR. LANDER: They said they could shut that door, they can't.

MR. BABCOCK: Yes, they can. They are shutting it, it doesn't go all the way to the ground.

MR. PETRO: Why does the door not go to the ground, is there a reason for it?

MR. EDSALL: As I said, I have no clue why you would want to have a door that has the bottom piece canvas.

MR. PETRO: If it was \$1500, they didn't want to buy it is the reason?

MR. BABCOCK: It looks to me like when are they ordered and I don't know but the door seems to go to where the foundation, there's a foundation that sticks out of the ground, you know what I mean, so there's a ten foot building or a 50 foot building and that is where the door comes to.

MR. EDSALL: So it is either the engineer who picked it wrong or the architect or maybe it's the contractor who read the plans wrong but we don't know, it will probably--

MR. BABCOCK: They designed the building that it would sit flat on the ground, now they raised it up.

MR. LUCAS: I have never seen the upper part of the door, just a bi-fold door on the side ever extended fully.

MR. LANDER: I have, that is when I said guess they can't close the door.

MR. PETRO: Any other subjects? Motion to adjourn?

MR. LANDER: So moved.

MR. LUCAS: Second it.

ROLL CALL

MR. STENT AYE
MR. LUCAS AYE
MR. LANDER AYE
MR. PETRO AYE

Respectfully Submitted By:

Frances Roth Stenographer

#### TOWN OF NEW WINDSOR



555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

15 January 1996

Ira D. Conklin & Sons, Inc. 92-94 Stewart Avenue P.O. Box 7457 Newburgh, New York 12550

ATTENTION: IRA D. CONKLIN, III, PRESIDENT

SUBJECT: I.D.C.SOIL RECLAMATION SITE PLAN

NWPB NOS. 93-37, 94-23 AND AMENDMENTS

#### Dear Ira:

The Town of New Windsor has received copies of correspondence, Permit Transfer, Renewal, Extension & Correction notifications and other permit correction correspondence in connection with your site plan located on River Road within the Town. In making a review of the content of these items, the Town has become aware of an apparent inconsistency between the permit issued by NYSDEC and the approval granted by the Town of New Windsor Planning Board.

Reference is made to the "Permit Transfer, Renewal, Extension & Correction" notification dated 13 November 1995 from the New York State Department of Environmental Conservation, addressed to T.P.S.T.Soil Recyclers of New York, Inc. Under Section C - Correction of Special Conditions, Paragraph I, the hours of operation were apparently amended to permit operation of 21 hours per day, Monday thru Saturday.

Please be advised that the plan approved by the Town of New Windsor Planning Board included a note as follows:

"I.D.C. will accept and transport soil between the hours of 6:00 a.m. to 6:00 p.m., Monday thru Saturday, 1.D.C. will operate the soil remediation unit only within the hours of 6:00 a.m. to 6:00 p.m., six days per week. This excludes maintenance on the unit."

fra D. Conklin & Sons, Inc.

Page 2

15 January 1996

Please be advised that the hours of operation are a condition of the approval from the Town of New Windsor Planning Board; therefore, notwithstanding the limits referenced in the NYSDEC permit, the hours of operation as approved and restricted by the Town of New Windsor Planning Board remain in full force and effect as a condition of your site plan approval. Compliance with these hours of operation is required.

You are reminded that any other conditions of the approval granted by the Planning Board also remain in full force and effect and are not modified by any permits issued by other regulatory agencies. There is, of course, the opportunity for Ira D. Conklin & Sons, Inc. to apply to the Planning Board for an amendment of any of the approval conditions, by application to the Town Planning Board.

If you have any questions concerning the above, please do not hesitate to contact the undersigned.

Very truly yours,

MMACO

Town Consulting Engineer

**MJEmk** 

co: George J. Meyers, Town Supervisor

TPS Technologies, 81 River Road, New Windsor, NY

James Petro, Planning Board Chairman

A:CONKLIN.mk

# 1763

### TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK 12553 Telephone: (914) 563-4615

Fax: (914) 563-4693

June 2, 1997

Ms. Fran Shapiro P.O. Box 222 Vails Gate, NY 12584-0222

**SUBJECT:** 

T.P.S. TECHNOLOGIES SITE

RIVER ROAD - TOWN OF NEW WINDSOR

Dear Ms. Shapiro:

I am in receipt of your May 18th correspondence concerning the TPS facility on River Road.

The permit to operate is issued by the NYSDEC. The regulatory responsibility rests with the NYSDEC. The monitoring of soil burning operations is the responsibility of the NYSDEC.

The facility has been in operation since 1994 with a Construction Permit (temporary permit) issued by NYSDEC. A final permit (operating permit) is now being considered by NYSDEC.

There have been three specific complains regarding this facility recorded at Town Hall since 1994.

The Environmental Impact Study issue will only be addressed by the Planning Board if TPS files an application for an Amended Site Plan.

Very truly yours,

James R. Petro, Jr.
PLANNING BOARD CHAIRMAN
TOWN OF NEW WINDSOR

mlm

MAJ 18, 1997 Petro, Chairman New Windsor Planning Board Deel Mr. Petro It is my undorstanding Marc moran, Regional Director of the DEC Stated he would take into consideration any requests made by town of New Windsor officets to suspend the permit of the T.P. S.T facility until 'on Environmental Impact Study is completed. this is an opportunity for town officies to protect the health, safet, and welfare of citizens which they have committed to the guestion continues to be why hasn't T.P.S.T done an environmental study? To allow a facility of this nature without identifying Existing encironmental status is incomprehensible, more over, it is my understanding the DEC stated. New windson is the only one that can do anything about All (Soil bærner).

the questions continues to be
i) who is responsible for the
Soil burner?
who will protect citizens?

A response would be appreciated.

Vers Sinorels, Fran Shapiro P.O. Box 222 VAIls Gate, N.Y 12584-0222 New, York State Department of Environmental Conservation
Office of the Regional Director
21 South Putt Corners Road, New Paltz, NY 12561-1696

(914) 256-3000 FAX (914) 255-0714



June 9, 1997

#### Dear Interested Parties:

Enclosed please find a fact sheet and letter from the New York State Department of Health (DOH) regarding the Air Certificate to Operate and the modified Solid Waste Management Permit issued by DEC on June 6, 1997 to TPST Soil Recyclers for the soil remediation unit (SRU) operated by the company on River Road in the Town of New Windsor.

As you may know, the SRU has been operating at this site since November 1995 under a Solid Waste Management Permit, a State Pollutants Discharge Elimination Systems Permit and an Air Permit to Construct. In May 1996, the operator of the facility successfully completed a stack test of the air emission source, as required in the Air Permit to Construct. In September 1996, the New York State Department of Health prepared a Preliminary Assessment of Air Contaminant Impacts. DEC used the results of these studies, and the comments of people in the community, to negotiate with TPST to develop permit conditions which are more stringent then those developed when the facility first started operating. These negotiations were continuing fruitfully, and DEC anticipated being able to provide a draft of the revised permit conditions for public review prior to issuing the permits. However, on May 30, 1997 TPST exercised its right under the law which governs permit issuance, known as the Uniform Procedures Act (UPA), and requested that DEC issue the permits within five business days, that is, by June 6, 1997. There is no statutory requirement in UPA for public review when permits must be issued within five business days.

DEC believes these permit conditions, as reflected in the Air Certificate to Operate and the modified Solid Waste Management Permit, are sufficiently protective of human health and the environment. The enclosed letter from DOH also supports the permit conditions.

Please consult the last page of the fact sheet for further information about contacting DEC or DOH staff for additional information.

1177---

Marc Moran Regional Director

Region 3

enc. MM:ES

s;tpst.ltr/e3/6-9-97

a Hagiliana carriera



New York State Department of Environmental Conservation Region 3 21 South Putt Corners Road, New Paltz, NY 12561-1696 (914) 256-3018 FAX (914) 255-0714



John P. Cahill Acting Commissioner

# FACT SHEET TPST SOIL RECYCLERS OF NEW YORK INC. TOWN OF NEW WINDSOR, ORANGE COUNTY JUNE 1997

#### Background

TPST operates a soil desporption unit for the treatment of petroleum-contaminated soils, also called a soil remediation unit (SRU). Soil contaminated with petroleum products is heated in a rotating drum with a burner fired by #2 fuel oil (the kind used for home heating oil and as diesel fuel), causing the petroleum products in the soil to evaporate. Exhaust air carrying the petroleum from the dryer goes through a "baghouse" filter, to remove solid and liquid particles, and an afterburner, where the petroleum and other combustible materials are burned at a minimum of 1550° F, before the exhaust is released from the stack of the facility.

The facility has been operating since May 1995, originally by Ira D. Conklin and Sons, and since November 1995 by TPST, at a site on River Road in the Town of New Windsor. The facility was issued DEC permits to operate a solid waste management facility, construct an air emission source and discharge storm water to the Hudson River. The permits were issued by DEC after the Town of New Windsor, as lead agency under the State Environmental Quality Review Act, found that the facility would not have a significant impact on the environment and that no environmental impact statement was required. The permits required, among other things, that before any petroleum-contaminated soil be brought for treatment that the soil be tested to prove that it meets DEC's permit requirements; that a stack test be performed, and established limits for certain emissions to the air.

During May and June 1996, TPST performed the required stack test of the soil desorption unit to determine that it could meet the standards DEC had set for emissions to the air. The results of the stack test were satisfactory, and on October 17, 1996 the company applied to DEC for an air certificate to operate, the final step in the air permit process. DEC then had 15 days under the Uniform Procedures Act (UPA), to either issue the certificate with the same requirements as the Air Permit to Construct, not issue the certificate (for sufficient reasons) or issue the certificate with additional requirements.

In September 1996, the New York State Department of Health (DOH) distributed a <u>Preliminary</u> Assessment of Air Contaminant Impacts, <u>TPST Soil Reclamation Facility</u> which indicated that typical levels of the air emissions did not indicate significant risks to public health, but that there were areas of



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uncertainty which warranted a more careful assessment. The report also included recommendations for improving the permits.

TPST agreed to two extensions of the Air Permit to Construct, which allowed the company to continue to process soil and allowed TPST, DEC and DOH to address the issues raised in DOH's report. DEC agreed to the extensions because the facility passed the stack test in May 1996. During that time, DEC was working closely with the company and with DOH to resolve the differences between the Air Permit to Construct and the issues raised by DOH. The extension of time for the Air Permit to Construct expires on June 30, 1997. However, on May 30,1997, TPST requested that DEC issue the air certificate to operate since the 15 day processing time under UPA had expired. On June 6, 1997, DEC issued the certificate to operate and a modified Solid Waste Management Permit to TPST, with more stringent operating conditions than in the Air Permit to Construct.

#### Health Department Concerns/Recommendations and DEC Responses

DOH's Preliminary Assessment of Air Contaminant Impacts. TPST Soil Reclamation Facility concluded that although their analysis did not indicate any significant risks to public health, there were areas of uncertainty which warranted a more careful assessment. DOH made specific recommendations, many of which are incorporated in the Air Certificate to Operate and the modified Solid Waste Management Permit.

- 1. Inconsistencies between the Air Permit to Construct and the Solid Waste Management Permit regarding hours of operation and soil acceptance limits for Volatile Organic Compounds (VOCs) were corrected.
- 2. The "permissible" VOC destruction efficiency of the afterburner was increased to 99 percent, through negotiations with the company. New York State Air Pollution regulations require a destruction efficiency of at least 96 percent.
- 3. The soil acceptance limits for polychlorinated biphenyls (PCBs) and total halogenated organic compounds (TOX) were lowered so that they meet DEC's Air Guide I. The PCB concentration has been reduced to 0.25 part per million (ppm) from 1 ppm. The TOX limit has been reduced to 100 ppm annual average with a 500 ppm maximum. The Air Permit to Construct limit for TOX was 1000 ppm. Coupled with the 65,000 tons per year limit of soil contaminated with waste oil/non-virgin petroleum products, or soil from industrial or agricultural sites, this effectively reduces the maximum permitted annual PCB emissions to one-tenth of the maximum annual emissions under the Air Permit to Construct and the reduces the TOX limit to 4 percent of the maximum amount of the Air Permit to Construct.
- 4. More refined air modeling was done which determined that ambient impacts of emissions will be less than the estimates in the previous model. Dispersion will be improved through increasing the stack height which will increase dispersion of all emissions from the stack, reducing the maximum ambient concentration to meet the guidance in Air Guide I.



3

- 5. Soils contaminated with other than virgin petroleum products, known as industrial/agricultural soils, must be tested for seven additional metals, PCBs and TOX. All soils must also be tested for total petroleum hydrocarbons, benzene and lead.
- 6. All untreated soils must be stored inside the building so that vapor emissions from the untreated soils are not likely in hot weather.
- On a case-by-case basis, any soils contaminated with metal concentrations will be reviewed and must meet Air Guide I concentrations.

## Operating Conditions in the Original Air Permit to Construct and the Solid Waste Management Permit

These remain unchanged in the Air Certificate to Operate and the modified Solid Waste Management Permit:

- 1. The SRU can treat non-hazardous petroleum contaminated soils at the rate of 25 tons per hour, 21 hours a day, 6 days a week, 52 weeks a year, or up to 163,800 tons per year.
- 2. The SRU can only treat soil containing the following petroleum products: gasoline, diesel fuel, jet fuel, #2 fuel oil, #4 fuel oil, #6 fuel oil, kerosene, lubricating oils, and petroleum waste oil.
- 3. The SRU can treat soils which are contaminated either with virgin petroleum products from non-industrial or non-agricultural sites or contaminated with waste/oil non-virgin petroleum products or soil from industrial or agricultural sites.
- 4. All soils must be tested before they are brought to TPST and soils fed into the SRU may not contain more than 10,000 ppm of petroleum products or 1 percent by weight.
- 5. Soils contaminated with virgin petroleum products from non-industrial or non-agricultural sites must be tested for petroleum hydrocarbons, benzene and lead, while soils potentially containing other contaminates are subject to more extensive testing requirements.

## Revised Operating Conditions in the Air Certificate to Operate and the Modified Solid Waste Management Permit

- 1. Of the 163,800 tons per year, the SRU cannot treat more than 65,000 tons per year (approximately 40 percent of the total) of soil contaminated with waste oil/non-virgin petroleum products or soil from industrial or agricultural sites.
- 2. Soils contaminated with waste oil/non-virgin petroleum products or soil from industrial or agricultural sites must be tested for petroleum hydrocarbons, benzene, PCBs, (TOX) and a number of other metals.



- 3. The annual average acceptance limits for PCBs is reduced to 0.25 parts per million (ppm) from the 1 ppm limit in the Air Permit to Construct, which is equivalent to a 90 percent reduction, with the 65,000 tons per year industrial or agricultural soils limit, of PCBs.
- 4. The annual average acceptance limits for TOX is reduced to 100 ppm from 1,000 ppm in the Air Permit to Construct, which is equivalent of a 96 percent reduction, with the 65,000 tons per year industrial or agricultural soils limit, of TOX.
- 5. Before air can be exhausted from the stack, 99 percent of the particulate matter must be removed; 99 percent of the total VOCs must be removed, and 99 percent of the benzene must be removed. In addition, there are limits for the emissions of sulfur dioxide and carbon monoxide.
- 6. The height of the stack must be raised to 40 feet, 8 feet higher than in the Air Permit to Construct, to improve dispersion and reduce the concentration of emissions at any given point.

#### Additional Information

Copies of the permits may be obtained by contacting Ellen Stoutenburgh at (914) 256-3018.

Questions about the Air Certificate to Operate should be directed to Robert Stanton (914) 256-3048.

Questions about the modified Solid Waste Management Permit should be directed to Alan Fuchs at (914) 256-3137.

Questions about the <u>Preliminary Assessment of Air Contaminant Impacts</u>, <u>TPST Soil Reclamation Facility</u> should be directed to John Hawley, Ph. D. at (518) 458-6438.

a:unst.fs/c3/6-9-97





# STATE OF NEW YORK DEPARTMENT OF HEALTH

University Place

Alberty, New York 12203

Barbare A. DaBuono, M.D., M.P.H. Commissioner of Health

Dennis P. Whalen
Executive Deputy Commissioner

June 6, 1997

Michael D. Merriman
Deputy Regional Permit Administrator
Division of Compliance Services
Region 3
NYS Department of Environmental Conservation
21 South Putt Corners Road
New Pattz, New York 12581-1696

Dear Mr. Merriman:

Thank you for the opportunity to comment on the revised draft permit conditions for the TPS Technologies thermal desorption facility in New Windsor.

One of the permit conditions requires TPST to increase the height of the stack on its facility. This will increase dispersion of all contaminants emitted from the stack, reducing the maximum ambient concentration corresponding to a given emission rate. In addition, refinements in the air modeling method used by DEC staff to calculate ambient impacts of emissions indicate that ambient impacts will be less than the estimates using the previous model and presented in the New York State Department of Health *Preliminary Assessment* report of September 1996.

As in the previous permit, TPST is prohibited from treating any soils that are classified as hazardous wastes. All soils must be tested for total petroleum hydrocarbons, benzene, and lead before being accepted for treatment. Soils contaminated by any petroleum products other than virgin petroleum product (referred to as industrial/agricultural soils) must also be tested for seven additional metals, PCBs, and total organic halogens (TOX). Under the revised permit conditions, The would not be permitted to treat more than 85,000 tons of the latter soils in any 12-month period (40% of the total permitted capacity).

The permit for operation of the thermal description facility presumes that any PCBs in treated soil will be emitted as air contaminants in the stack gases. If, in fact, some PCBs were destroyed, emissions would be reduced. The previous permit conditions

allowed treatment of 164,000 tons per year of soil containing a maximum PCB concentration of 1 ppm. The proposed revised permit condition for PCB concentration in industrial/agricultural soils would be 0,25 ppm. Thus, the maximum permitted annual PCB emissions under the new conditions would be one-tenth of the maximum permitted annual emissions under the previous permit condition. This, combined with the increased stack height and the refined dispersion model, yields a projected maximum annual average PCB concentration in the ambient air that meets DEC's air guide concentration (AGC) for PCBs. This resolves a concern expressed in the DOH report.

Another of the concerns expressed in the DOH report was that the soil acceptance limit of 1000 ppm for TOX was much higher than levels of halogenated organics in typical urban soils. This appears to be confirmed by records for soils treated at the TPST facility. TPST records reviewed by staff of our departments indicate that less than 1% of soils treated in the first year had more than 1 ppm TOX. Some portion of the halogenated organic compounds in the soil would be destroyed in the afterburner.

The revised permit would lower the TOX limit (which applies only to industrial/agricultural soils) to 100 ppm average per 12 month period and a 500 ppm maximum. This corresponds to a theoretical maximum of 6.5 tons of TOX compounds per year. The previous permit condition was 1000 ppm in all solls, which corresponds to a theoretical maximum TOX compound content of 164 tons per year. Comparing the maximum permitted amounts of halogenated compounds under the original and revised permit conditions, the quantity under the revised permit is 4% of the maximum amount under the previous permit. This reduction, together with the improved dispersion from a higher stack, will yield a corresponding decrease in potential impacts on ambient air.

Please let me know if you have any questions about these comments.

Sincerely,

John K. Hawley, Ph.

Research Director

Division of Environmental Health Assessment

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TOTAL P.02

1763

#### TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK 12553 (914).563-4610 FAX 914-563-4693

OFFICE OF THE SUPERVISOR

GEORGE J. MEYERS TOWN SUPERVISOR

(c: YB Menbus) m. Mason

July 21, 1997

Michael D. Merriman NYS Department of Environmental Conservation Division of Environmental Permits -21 South Putt Corners Road New Paltz, NY 12561-1696

RE: T.P.S.T. Soil Remediation Facility: Modification for MGP Soils

Dear Mr. Merriman:

This letter is in response to the Notice of Complete Application in the above-referenced matter dated June 16, 1997 and the Negative Declaration on the modification.

The Town of New Windsor is vehemently opposed to the issuance of the modification of the Air Operate permit and Solid Waste Operate permit presently under consideration by the DEC. The Town of New Windsor's position is that the DEC has sidestepped the statutory approval process.

The Town of New Windsor has a series of questions to pose to the DEC. It is requested that they be answered in full before further consideration is given to this matter:

- 1. The T.P.S.T. plant has only been operating since June 6, 1997 with their "operating" permit. Why is the DEC acting as quickly to modify the Air Operate permit and Solid Waste Operate permit?
- 2. Does the DEC acknowledge receiving the present application on or about April 4, 1997? Why was no notice given to the Town Planning Board of the Town of New Windsor, which at or about that time was considering the applicant's request for an expansion of the plant? Why is the DEC segmenting the issues? Why is the DEC ignoring documented public controversy on this application by not calling for a public hearing?
- 3. Why did the DEC not schedule a public hearing before issuing the Negative Declaration on the modification request by T.P.S.T.? Why did the DEC bypass the notice and public comment proceedings?

- 4. Why did the DEC not include the Town of New Windsor as an involved agency in the review process for this modification?
- 5. Why did the DEC not include the site plan review in front of the Town of New Windsor Planning Board with the overall review for the modification permit? Why is the process being segmented which is contrary to SEQRA?
- 6. Why does the DEC not regard the permit modifications and the Town of New Windsor project application for expansion of the facility as a joint project on the part of the applicant when the attorney for the applicant, Albert J. Pirro, Jr., Esq. ties them jointly? In this regard you are advised of Mr. Pirro's statement to the Town of New Windsor in his letter dated July 8, 1997 which states:

"To ensure prompt compliance as far as current operations were concerned, the site plan application for the expansion of the facility was withdrawn and we concentrated on the operating permit."

- 7. Why does the DEC disregard the statement of the applicant, Ira Conklin, to the Town of New Windsor Planning Board on April 27, 1994, which was an authorized representation on which the Town Planning Board of New Windsor relied, wherein Mr. Conklin stated as follows: "We are limited to the type of soils we can take in. We cannot take in any hazardous materials. All we are dealing with is your everyday gasoline station oil, home heating oil." (Attachment #1) How does the DEC reconcile "everyday gasoline station oil" and "home heating oil" with coal/tar wastes which include sulphur dioxide and hydrogen cyanide? It appears that the New Windsor Planning Board was mislead, since T.P.S.T. acknowledges that they treat MGP at six of the seven plants in the United States. Why doesn't DEC require a draft Environmental Impact Statement before any modifications to the permit are approved?
- 8. How does the DEC reconcile the fact that the previous T.P.S.T. permit was granted for petroleum-based products and the present application seeks to expand the umbrella to MGP/Coal Tar Wastes? How does the DEC explain that MGP waste can be destroyed by the same thermal desorption process currently used to remediate petroleum contaminated soils at the facility, but nevertheless the DEC requires that the MGP soil be separated by Jersey Barriers from the other soils which are already permitted at the facility?
- 9. In the event of a mishap whereby MGP soils are mistakenly mixed with PCS soils at the facility, and burned, what would be the worst case

#### scenario of combining the two?

- 10. In what manner has the applicant agreed to operating conditions which limit emissions below the major source thresholds for sulphur dioxide, thereby "capping-out" of the requirement for permit under 6NYCRR Part 201-6 in Title V of the 1990 Clear Act Amendments; and what are the operating conditions imposed on the permittee in the event the permittee exceeds the major source thresholds for sulphur dioxide?
- 11. Where will the MGP waste be stored on the site, indoors or outdoors? If the MGP is to be stored outdoors, have the potential run-off problems to the Hudson River been considered? By the same token, if the MGP waste is to be stored indoors, has the potential deleterious health effect of the hazardous components in the MGP waste been considered for the workers? In that regard, has the NYS Department of Labor been contacted and queried; and has the Federal OSHA Agency been contacted and queried?
- 12. Have the potential deleterious health effects of the hazardous components in the MGP waste been considered with respect to the neighboring residents and the public in general? Has the DEC considered the effect of even trace emissions of sulphur doixide and hydrogen cyanide from the plant on area residents with hyperreactive airways, better known as bronchial asthma, as reported by a medical doctor, John Parrinello, a resident of the neighboring Town of Cornwall and Board-Certified in Allergy and Clinical Immunology? (Attachment #2)
- 13. What is the DEC threshold for sulphur dioxide and hydrogen cyanide? Equally important, what is the proper threshold for sulphur dioxide and hydrogen cyanide, as queried by Dr. Parrinello?
- 14. What does the DEC engineer, Robert Stanton, an air quality engineer for the Regional DEC office, mean when he notes in a recent newspaper article that sulphur dioxide is "definitely a contaminant of concern?" (Attachment #3)
- 15. What agency established the Annual Guidance Concentration (AGC) for the three contaminents listed, sulphur, cyanide, and polynuclear aromatic hydrocarbons? Did the DEC contact the NYS Department of Health to request an evaluation of the health impacts of the three contaminents, and to ascertain if the Department of Health concurred with the AGC on which the DEC relied?

- 16. Has the DEC conducted an analysis to determine the potential impact of the contaminants, sulphur dioxide and hydrogen cyanide, in an established mixed-residential/commercial area, as well as the adjacent public recreational resource, the Hudson River?
- 17. Has the DEC performed or reviewed an analytical comparison between the concentration of the contaminants, sulphur and cyanide, contained in the MGP waste, and the indicated permit tonnage limit? Has the DEC imposed any constraints so that the annual tonnage limit for release of the contaminants shall not occur in any concentrated period, such as one week or one month? In other words, has the DEC considered mandating the annual discharge into an even flow over the course of the year so that the discharge cannot be concentrated into an abbreviated period?
- 18. Has every single contaminent and hazardous substance in the MGP's been listed in the permit application and have discharge limits been established for each one? How does the DEC intend to monitor the operating parameters of the permits special conditions which allow acceptance of waste from industrial sites and agricultural sites? How does the DEC intend to monitor the vast number of pollutants and contaminants which could be processed at the facility without an appropriate review of potential impacts? In that regard, why has the permit not been made contaminant specific?
- 19. What is the DEC rationale for one-stack test? The Town of New Windsor deems that numerous stack tests, as well as a representative worst-case test, should be used to establish the permit limits.
- 20. Has the DEC performed any random on site testing at the facility to date? If so, how has the applicant fared with the DEC test(s)? Will the DEC require an On Site Environmental Monitor (OSEM) relative to the proposed MGP burning at the site?
- 21. Can the DEC explain in laymen's terms whether it is true that hydrogen cyanide is a colorless gas or liquid used primarily as a rodent exterminator, and that it is extremely poisoness, even when mixed with air? Can the DEC confirm or disaffirm that some of the effects of hydrogen cyanide cause such symptoms as headache, vertigo, nausea and vomitting and that high concentrations may cause parallysis, convulsions and even respiratory arrest? Is it true that as little as 100 parts per million cause asphyxciation within 30 minutes, as stated by a representative of a Pennsylvania manufacturer of gas measuring equipment?

- 22. Can the DEC explain the attributes of sulphur dioxide in laymen's terms? Is it true that sulphur dioxide is literally absorbed into the respiratory system and that it is a powerful irritant that can aggrivate the symptoms of people suffering from asthma, bronchitis, emphysema and other lung diseases, as reported by the Chemistry Department of the U. S. Military Academy at West Point?
- 23. Will restrictions on the proposed MGP burning be included in the permit to restrict operation during significant weather events? (i.e. inversions or time periods of non-attainment of EPA Ambient Air Quality Standards)? Has the DEC contacted the EPA with respect to the despersion of emissions from the MGP burning? What does the DEC mean by the statement that the dispersion of emissions over a large area will result in little or no concentrated odor impacts, and does the DEC mean the Hudson Valley at large or the immediate surrounding areas?
- 24. Why did the DEC process the application when Section 18 of the application were not completed and signed off by the required licensed Professional Engineer or Architect?
- 25. Has the DEC approved any other permanently sited MGP waste burning operations the State of New York? If so, where are those locations and what is the capacity of each? What has been the experience of DEC with this type of plant?
- 26. Why has the DEC proceeded to consider the present permit application when the applicant is already in violation of its existing permit and site plan conditions in the Town of New Windsor? Why did the DEC not contact the Town of New Windsor authorities to ascertain the bona fides of the applicant at the already-established facility in New Windsor? Is the DEC aware of the fact that the applicant has already been issued two violations by the Town of New Windsor Fire Inspector's office returnable in Justice Court in the Town of New Windsor on July 31, 1997. and of a conference between the applicant and the applicant's attorney and officials of the Town of New Windsor which resulted in a compliance representation letter from the applicant's attorney concerning alreadyexisting problems? (Attachment #4) How does the DEC rationalize that if the Town of New Windsor cannot trust the applicant to shut the door as required, how can the Town rely on the representation from the applicant that it will burn only the contaminents that it is approved to treat?
- 27. Will the DEC require further controls with respect to closing the doors at the facility, including a timed operating door in light of the violations

- and bad neighbor practices of the applicant in the Town of New Windsor? Will the DEC require any alarm system at the site?
- 28. Finally, in light of all of the foregoing, why doesn't the DEC reopen the SEQRA process and issue a positive declaration on the applicant's request for a permit modification? By the same token, why doesn't the DEC coordinate the application process properly, to include site plan review, and bring in the Town of New Windsor Planning Board as an involved agency, thereby avoiding improper segmentation?

We look forward to your reply.

George J. Meyers, Supervisor

GJM/dg

Very truly

cc: Mark Edsall, P.E.

Philip Crotty, Attorney for the Town Pat Hines, McGoey, Hauser and Edsall April 27, 1994) New Windson 1: Non No

the only vapor and there's no order to it, it's steam is what it is.

MR. PETRO: Steam would dissipate before it got--

MR. CONKLIN: I think the steam dissipates within 30 feet at the most on a real cold day.

MR. VAN LEEUWEN: Not to start any problems, what about the Fisherman's Association, Hudson River Association, all these people, are they going to be looking at this, DEC have total control?

MR. LOEB: DEC has got all control of that aspect of it.

MR. VAN LEEUWEN: I'm not looking to start trouble, you cover yourself, we cover ourselves.

MR. LOEB: You'll hear from our landscape architect how he has identified visual enhancements on the site and I'll let him explain to you when he makes his presentation we may be the only area on River Road with industrial use and tanks that has taken that into consideration. There's no need or reason to have shiny tanks anymore certainly not for what we're doing so we've considered that we think that we're going to be virtually invisible from the river and we think we're going to be a pretty good neighbor. Remember, as you'll see on this site plan, the railroad crosses our property. We're on both sides of it, so that it's not as if we're operating in virgin, untouched territory. That railroad has been there and the tank farms including Shotmeyer have been there.

MR. CONKLIN: I'm going to take you through a quick run of how the plant works for one day's operation how it would work and then I'll turn it over to creg. When a tank is dug and out of the ground and contamination is encountered, we notify DEC and a spill number is given out, classified as diesel fuel or gasoline. The soil is then stockpiled on site on plastic and covered with plastic. Test sample is taken of that soil. There's a window that you can thermally treat soil. It can't exceed so many parts per million of gas or of oil. It

X

27, 1994

has to be within that window. If it exceeds that window, then an alternate method will have to be used. We're limited to the type of soils we can take in. We cannot take in any hazardous materials. All we're dealing with is your every day gasoline station oil, home heating oil.

MR. VAN LEEUWEN: Which pertains to your business.

MR. CONKLIN: Yes. Once that soil has been tested, and we find that it's within our tolerances, within that window, we can accept it, we'll receive a copy of that ' test. We'll then schedule the trucks to come in and we schedule the trucks to come in. It's not going to be one of these things that 20 trucks show up on site. They come in at the time we designate and who we designate because to bring the soil into that facility, they have to have a 364 Permit and our facility has to be labeled so the trucking is scheduled by us. Once the material arrives, one of our employees will take a grab sample out of the truck. And we can, there's a machine that fingerprints the soil to match, what they said it was, it's nothing any different, there's nothing that is not supposed to be in the soil. It goes over the scale, it's weighed, it gets backed up on to the concrete pad and dumped. We process the soil by screening down to four inch minus, that material is stored in the rear tank, and then taken from that tank at another time and put through the treatment unit. The treatment unit then puts it right into the front tank which is finished product. We have to take every day's work and keep it in a separate pile inside of that tank until it's tested and once it comes out clean, we can then haul it away.

MR. PETRO: Who's doing the final testing?"

MR. CONKLIN: Envirotest is doing our testing and it's, we've made arrangements that they'll come down every morning and take yesterday's sample and go ahead and do the testing.

MR. PETRO: They are doing it as representative for New York State DEC.

DRAKE, SOMMERS, LOEB, TARSHIS & CATANIA, P.C.

ATTORNEYS & COUNSELLORS AT LAW

BERNARD J. SOMMERS

JAMES R. LOEB

RICHARD J. DRAKE

STEY'EN L. TARSHIS

JOSEPH A CATANIA, JR.

RICHARD F. LIBERTH

GLEN L. HELLER

KEVIN T. DOWD

RICHARD M. MAHON, II (N.Y. & D.C. BARS)

STEVEN I. MILLIGRAM (N.Y. & N.J. BARS)

STEPHEN J. GABA

WRITER'S DIRECT NO. (914) 569-4327

ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550
(914) 565-1100

FAX (914) 565-1999 (FAX SERVICE NOT ACCEPTED)

MONROE OFFICE 107 STAGE ROAD MONROE, NEW YO<del>RK 10</del>

(914) 783-2600 May 30, 1997 ADAM L RODE (N.Y. & CT. BARS)

KAREN COLLINS THE & D.C. BARS)

SHARON C. FLETCHER

DANIEL J. SCHNEIDER (N.Y. & N.J. BARS)

DENIS E. MCGUINNESS (N.Y. & TX. BARS)

MARIANNA R. KENNEDY

THOMAS M. TRACY

FREDDA FIXLER-FUCHS (N.Y. N.L. D.C. & FL. BARS)

JENNIFER L KATZ

CARY J. COGGERTY (N.Y. & CT. BARS)

JEFFREY C. WHITE (N.Y. & MA. BARS)

OF COUNSEL

Robert F. Rodgers, CCA
Fire Inspector
Town of New Windsor
555 Union Avenue
New Windsor, New York 12553

Dear Bob:

Re: Our File #6208.42,709

Company of the Company of the Company

I am writing to you on behalf of TPST following the meeting we had in your office on Friday, May 23, 1997. This letter addresses the concerns about noise. TPST wishes to advise you that between the hours of 7:00 p.m. and 7:00 a.m. it will conduct all soil reclamation operations with both the steel door and the curtain down. As demonstrated by the test previously taken with the results filed with the Town, that configuration will attenuate the noise to meet the New Windsor requirements.

TPST will conduct additional noise tests in the future. The date has not as yet been scheduled; we anticipate reaching a mutually convenient date with our noise consultants in the very near future. As you requested, the Town will be invited to participate in witnessing the tests when they take place. Either I or a representative of TPST will contact you and Mark Edsall directly when the tests have been scheduled.

Thank you again for your courtesies in this matter.

Very truly yours

JRL:ef 179686

cc: David Edwards

#



NEW WINDSOR, NEW YORK 12553

Telephone: (914) 563-4610 Fac (914) 563-4693

CC: M. Mason

OFFICE OF THE SUPERVISOR George J. Meyers

Town Supervisor

July 16, 1997

Michael D. Merriman NYS Department of Environmental Conservation Division of Environmental Permits 21 South Putt Corners Road New Paltz, NY 12561-1696

Dear Mr. Merriman:

I am writing to you regarding the public comment period for the proposed permit modification for the TPS soil remediation plant on River Road in New Windsor.

I am requesting that the comment period be extended for an additional forty-five (45) days. This request is being made to allow Dr. John Hawley of the New York State Department of Health adequate time to review the impact on our citizens of treating MGP soil.

Kindly advise my office of your decision regarding this matter.

GJM/dg

cc: Cheland Geenic Hadson T/Bd

## 2c M Edonal M. Marco A. Krigu M. Babicik B. Rodayio

NOTICE OF COMPLETE APPLICATION

APPLICANT:

ATTN: BLAIR W. DOMINIAK, MANAGER

ADDRESS:

T.P.S.T. SOIL RECYCLERS OF NEW YORK INC.

1964 SOUTH ORANGE BLOSSOM TRAIL

APOPKA, FL. 32703

3 0 1997

(914) 256-3165

June 16, 1997

FACILITY:

TPST Soil Remediation Facility: Modification for MGP Soils

LOCATION:

T-New Windsor, Orange County

PERMITS APPLIED FOR:

Modification of Air Operate permit and Solid Waste Operate permit

APPLICATION NUMBER:

3-3348-00150-00001 and 00007

PROJECT DESCRIPTION: The Department has made a tentative determination to approve an application for a modification of the existing operating Air Resources and Solid Waste permits for T.P.S.T. Soil Recyclers of New York, Inc. (TPST) to accept the following non-hazardous Manufactured Gas Plant (MGP) contaminated soils for remediation: 1.) Coke or coal plant wastes, 2.) water gas plant wastes, 3.) purifier bed wastes, 4.) tar emulsion wastes, and 5.) a combination of any of these MGP/coal tar wastes. Mixtures of these MGP and petroleum contaminated soils (PCS) would also be accepted at the facility for destruction.

MGP soils are a by-product of the manufacture of gas from the distillation of coal and crude oil for lighting and heat needs from the 1850's to as recently as the 1960's. These soils contain organic constituents similar to No.6 heating oil, and can be removed from the soil and destroyed by the same thermal desorption process currently used to remediate petroleum contaminated soils (PCS) at this facility. DEC has established specific limits for the potential emissions from MGP soils and would require a post-issuance stack test to demonstrate the effectiveness of the facility to meet those standards.

By 6NYCRR Part 201, and for the purpose of restricting the "potential to emit," the permittee has agreed to operating conditions which limit emissions below the major source thresholds for Sulfur Dioxide (SO<sub>2</sub>), thereby "capping-out" of the requirement for a permit under 6NYCRR Part 201-6 and Title V of the 1990 Clean Air Act Amendments. The facility is located at 81 River Road in the Town of New Windsor, Orange County, NY.

STATE ENVIRONMENTAL QUALITY REVIEW (SEQR) ACT DETERMINATION: SEQR-3b Project is an unlisted action and will not have a significant effect on the environment. A Negative Declaration is on file for the modification and no coordinated review was performed.

SEQR LEAD AGENCY: NYS Department of Environmental Conservation for this modification.

STATE HISTORIC PRESERVATION ACT DETERMINATION: The project is not subject to SHPA review.

AVAILABILITY FOR PUBLIC COMMENT: The application may be reviewed at the address below. Written comments on the project must be submitted to the Contact Person no later than <u>July 26, 1997</u>.

**CONTACT PERSON** 

Michael D. Merriman WDM

New York State Department of Environmental Conservation

Division of Environmental Permits

21 South Putt Corners Rd., New Paltz, NY 12561-1696

THIS IS NOT A PERMIT

2. This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.

3. Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held, the final decision will be made within 60 days after the hearing is completed.

4. Publication of this Notice in a newspaper is required. Please consult the attached transmittal letter for further instructions. Enclosure: Newspaper Instructions

cc: Chief Executive Officer, T-New Windsor, Supervisor. 16
Environmental Notice Bulletin (Sent by e-mail on 6-28-97)

[See cc: list on attached sheet] w/Notice

#### 617.21

## State Environmental Quality Review NEGATIVE DECLARATION

Notice of Determination of Non-Significance

Project Number:

3-3348-00150-00001 and -00007

Date: June 16, 1997

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The NYS Department of Environmental Conservation (DEC), as lead agency, has determined that the proposed action described below will not have a significant effect on the environment and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

TPST Soil Remediation Facility: Modification for Remediation of Soils Containing MGP

Wastes

**SEQR Status:** 

Unlisted

#### **Description of Action:**

The action to be considered is a proposal to modify the existing operating Air Resources and Solid Waste permits for T.P.S.T. Soil Recyclers of New York, Inc. (TPST) to accept soils containing the following non-hazardous Manufactured Gas Plant (MGP) wastes for remediation: 1.) Coke or coal plant wastes, 2.) water gas plant wastes, 3.) purifier bed wastes, 4.) tar emulsion wastes, and 5.) a combination of any of these MGP/coal tar wastes. Mixtures of these MGP and soils containing petroleum wastes would also be accepted at the facility for destruction.

By 6NYCRR Part 201, and for the purpose of restricting the "potential to emit," the permittee has agreed to operating conditions which limit emissions below the major source thresholds for Sulfur Dioxide (SO<sub>2</sub>), thereby "capping-out" of the requirement for a permit under 6NYCRR Part 201-6 and Title V of the 1990 Clean Air Act Amendments.

Location: The facility is located at 81 River Road in the Town of Novincedor, Orange County, NY. The application is available for review by contacting the regional offices in New Paltz and Tarrytown.

#### **SEQR** Negative Declaration

#### **BACKGROUND INFORMATION:**

DOCUMENTS REVIEWED: DEC's Environmental Permits staff, Air Resources staff and Solid & Hazardous Waste staff reviewed the April 4, 1997 application and report, the May 5, 1997 addendum and the June 13, 1997 addendum. Additionally, various Department staff has visited the site many times over the past 12 months.

HISTORY OF THE WASTE TYPE: MGP soils are a by-product of the manufacture of gas from the distillation of coal and crude oil for lighting and heat needs from the 1850's to as recently as the 1960's. These soils contain organic constituents similar to No.6 heating oil, which can be removed from the soil and destroyed by the same soil remediation unit currently used to remediate soils containing petroleum wastes at this facility.

ANTICIPATED CONSTRUCTION ACTIVITIES: In order to implement the proposed modification to destroy soils containing MGP wastes, new construction is not required. All necessary equipment including buildings, or site driveways, testing equipment and handling equipment already exists at TPST's soil remediation unit for soils containing petroleum products. The emissions stack already exists and is required to be increased by 8 feet to a minimum height of 40 feet under their current permit to operate a facility for the remediation of soils containing petroleum products. New construction is not needed to separate the storage of soils containing MGP wastes from the storage of soils containing petroleum products. Separation of the soils would be achieved by the use of moveable "jersey barriers" and/or plastic tarpaulins to keep the two types of soils separated.

ANNUAL TONNAGE CHANGE: The total tons of soil remediated per year will not change. When MGP soils are remediated, they will replace a portion of the facility's current limit of 65,000 tons per year (TPY) for soils containing waste oil/non-virgin petroleum products or soils from industrial or agricultural sites. Thus, the total number of tons per year will not increase from the limits in the current permits for the facility.

TREATMENT PROCESS MODIFICATIONS: The thermal desorption treatment process to be used for the remediation of MGP soils is the same process used for at this facility to remediate soils containing petroleum products. The difference is that the afterburner will initially be set 200° F. higher, to 1750° F. The temperature limit may be lowered to 1550° F. if the stack test results indicate that a lower temperature can satisfactorily meet the required destruction rate and emission limits in the Air Resources Permit. DEC will require a post-issuance stack test to demonstrate the effectiveness of the facility to meet those emission standards.

SOLID WASTE PERMIT MODIFICATIONS: The MGP soils contain three additional contaminates that would be released during the thermal desorption part of the process, namely: Polynuclear aromatic hydrocarbons (PAHs); total Sulfur; and Total Cyanide. The draft solid waste permit conditions propose the following limits on the concentrations of these contaminates in the soils:

Polynuclear aromatic hydrocarbons (PAHs) less than 10,000 parts per million (ppm)
(final limits to be determined after the stack test)

Total Sulfur less than 1,100 ppm

Total Cyanide less than 1,000 ppm

#### IMPACTS CONSIDERED AND REASONS SUPPORTING THIS DETERMINATION:

CONSTRUCTION RELATED IMPACTS: None. As discussed earlier, all the buildings and equipment necessary for the destruction of soils containing MGP wastes already exists and are operating on the site. Thus, there would be no construction related impacts on the land, on the water resources adjacent to the site (i.e., the Hudson river), or on plants and animals since the site is almost completely covered with impervious surfaces (i.e., buildings and paved areas). Additionally, since no new construction is proposed, there will be no impacts on open space, recreation or aesthetic resources.

IMPACTS ON ARCHAEOLOGICAL, HISTORIC OR OTHER CULTURAL RESOURCES: None. This is an existing, operating facility with no new construction required to remediate MGP soils as compared to soils containing petroleum products. Thus, the original cultural resources survey for historic and archaeological resources done for the original design and construction of the site does not need to be repeated.

<u>CRITICAL ENVIRONMENTAL AREA IMPACTS</u>: None. The site is not on or contiguous to a Critical Environmental Area as defined in 6NYCRR Part 621, and thus, there are no impacts to this type of resource.

TRANSPORTATION IMPACTS: None. As stated earlier this modification will not result in any increase on transportation impacts because the total annual tonnage to be received at the site will not increase. The soils containing MGP wastes will substitute for an equal tonnage of the industrial soils containing petroleum products already authorized to be remediated. Thus, there will be no net increase in annual tonnage and correspondingly, no net increase in transportation impacts.

NOISE & ODOR IMPACTS: As discussed above, the operation of the existing facility will not change, and thus there should be nor change in the noise generated by the existing facility.

In regards to odor impacts, soils containing MGP wastes will have a higher concentration of sulfur than soils containing petroleum products. Therefore, air emissions may have a greater potential to contain sulfur compounds, of which the primary component will be sulfur dioxide. Thus, at the average emission rate of approximately 30 lbs/hour and dispersion of emissions over a large area, there should be little or no concentrated odor impacts.

IMPACTS ON AIR QUALITY: The proposed modification has been reviewed to calculate at what concentration the facility can adequately remediate soils containing MGP wastes. Based on the analysis by the DEC's Division of Air Resources, the remediation of soils containing MGP wastes will not exceed the Annual Guidance Concentration (AGC) for the following three additional contaminates: Polynuclear Aromatic Hydrocarbons (PAHs); sulfur dioxide and hydrogen cyanide.

PUBLIC HEALTH IMPACTS: The proposed modification will remediate a petroleum-based waste product (MGP wastes) into the thermal desorption unit, which is designed to release and destroy petroleum products or petroleum-based wastes. The operation of the existing thermal desorption unit was reviewed by the NYS Department of Health in their September 1996 report. Based on some concerns raised in that report, this Department previously modified the operating limits for the existing facility and issued the Air Resources permit to operate. DEC's review of this modification assumed the same operating limitations as are currently in the operating permit and thus the proposed modification is in keeping with the operating limitations accepted by the NYS Department of Health.

<u>COASTAL ZONE MANAGEMENT IMPACTS</u>: None. This is an existing, operating facility with no new construction required to remediate MGP soils as compared to soils containing petroleum products. Thus, the

COASTAL ZONE MANAGEMENT IMPACTS: None. This is an existing, operating facility with no new construction required to remediate MGP soils as compared to soils containing petroleum products. Thus, the original Coastal Zone review done for the original design and construction of the site does not need to be repeated.

ENERGY IMPACTS As stated earlier, the total annual tonnage to be received at the site will not increase because the soils containing MGP wastes will substitute for an equal tonnage of the industrial soils containing petroleum products already authorized to be remediated. While there will be no net increase in annual tonnage, the energy impacts may increase slightly, since the operating temperature of the afterburner may have to be up to 200° F. hotter for the MGP wastes.

GROWTH AND NEIGHBORHOOD IMPACTS: This modification to remediate soils containing MGP wastes at this facility is not an expansion of the building at the existing facility, nor is it an expansion of the site property. Thus, there appears to be no growth inducing impacts. Similarly, the impacts on the neighborhood will not change compared with any impacts from the existing facility since there are no new construction and no additional tonnage.

#### For Further Information:

Contact Person: Michael D. Merriman

Address: 21 South Putt Corners Rd, New Paltz NY 12561-1696

Telephone Number: (914) 256-3165

#### A Copy of This Notice Sent to:

Commissioner, NYSDEC, 50 Wolf Road, Albany NY 12233-0001 Chief Executive Officer, Town of New Windsor Applicant Other Interested Parties



#### SPECIAL CONDITIONS to be changed or added to the existing permit

#### **OPERATING PARAMETERS** 2.

- a. During operation the SRU must treat only non-hazardous soil demonstrated to be contaminated with the following petroleum products:
  - (1) Gasoline (unleaded or leaded);
  - (2) Distillate fuel oils (diesel, jet fuel, and #2 fuel oil);
  - (3) Residual oils (#4 and #6 fuel oil, kerosene, lubricating oils, and petroleum based waste oil); and
  - (4) Manufactured gas plant waste which is limited to coke/coal plant waste, water gas plant waste, purifier bed waste, and tar emulsion waste.
- b. The acceptance and treatment of soils which are contaminated with any of the following can not exceed 65,000 tons per year:
  - (i) Waste oil/non-virgin petroleum products;
  - (ii) Waste from industrial sites:
  - (iii) Waste from agricultural sites; or
  - (iv) Manufactured gas plant waste.
- j. Fuel used for the dryer and afterburner is limited to #2 fuel oil, liquid propane, and natural gas, and is limited to a sulfur content of 0.3 weight percent. The facility may also burn waste fuel and must comply with the requirements of 6NYCRR Part 225-2.
- k. (1) Prior to processing soil contaminated with gasoline, distallate fuel oils, or residual oils, the afterburner shall achieve a temperature of at least 1550F and this temperature must be maintained during soil processing. If during operation afterburner temperature falls below 1550F, the SRU feed shall be cut off after 5 minutes until the problem is corrected and 1550F is achieved.
  - (2) Prior to processing soil contaminated with manufactured gas plant waste, the afterburner shall achieve a temperature of at least 1750F and this temperature must be maintained during soil processing. If during operation afterburner temperature falls below 1750F, the SRU feed shall be cut off after 5 minutes until the problem is corrected and 1750F is achieved. This afterburner temperature of 1750F may be lowered if stack testing demonstrates the required destruction efficiencies are achieved at a lower temperature. DA

#### 4. **EMISSION LIMITS**

- b. The afterburner must operate at a minimum of 1550F (1750F for manufactured gas plant waste) and achieve a VOC destruction efficiency of at least 99%, a benzene destruction efficiency of at least 99%, and a hydrogen cyanide destruction efficiency of at least 99%.
- d. The emission of sulfur dioxide shall not exceed 97.5 tons in any 12 consecutive month period. This will allow the facility not to be subject to major facility designation and the associated requirements.

stack test results show higher emissions than what was calculated for any pollutant tested.

#### 6. RECORDKEEPING

year

- a. The facility must maintain a record of the tonnage of soil listed in special condition 2b that has been accepted and treated each month. All recordkeeping, including monthly soil tonnage, soil acceptance documentation, soil sampling records, and temperature monitoring logs, must be made available to a Department representative upon request and must be kept on site for at least five years.
- b. Actual sulfur dioxide emissions resulting from the processing of any soil and from the combustion of fuel must be determined for the calendar year. A notification specifying sulfur dioxide emissions for the calendar year must be submitted in writing to the Department by March 1st of the following at the following address:

Regional Air Pollution Control Engineer NYS DEC Region 3 21 South Putt Corners Road New Paltz, NY 12561



Pho (24)

# PREVIOUS

# **DOCUMENT**

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# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION



COPIES WHITE ORIGINAL GREEN · DIVISON OF AIR WHITE - REGIONAL OFFICE WHITE - FIELD REP.

YELLOW · APPLICANT

READ INSTRUCTIONS CONTAINED IN FORM 76-11-12 BEFORE ANSWERING ANY QUESTION A ADD D DELETE

#### PROCESS, EXHAUST OR VENTILATION SYSTEM

APPLICATION FOR PERMIT TO CONSTRUCT OR CERTIFICATE TO OPERATE

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### PLANNING BOARD TOWN OF NEW WINDSOR

AS OF: 09/06/94

LISTING OF PLANNING BOARD ACTIONS

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A [Disap, Appr]

PAGE: 1

FOR PROJECT NUMBER: 93-37

NAME: I.D.C. SOIL RECLAMATION APPLICANT: IRA D. CONKLIN & SONS, INC.

--DATE-- MEETING-PURPOSE------ ACTION-TAKEN-----

09/01/94 PLANS STAMPED APPROVED

04/27/94 P.B. APPEARANCE-PUBLIC HEARING LA:ND-APPROVED COND . SEE REVIEW SHEET IN FILE

03/23/94 P.B. APPEARANCE SET P.H. FOR 4/27/94 . PUBLIC HEARING TO BE HELD APRIL 27, 1994

02/23/94 DISCUSSION AT P.B. MEETING LA: MARK SEND LETTER
. MARK TO SEND LEAD AGENCY COORDINATION LETTERS

12/08/93 P.B. APPEARANCE LA: NEED FULL E.A.F.

- 10/06/93 WORK SESSION APPEARANCE SUBMIT APPLICATION

#### PLANNING BOARD TOWN OF NEW WINDSOR

AS OF: 08/26/94

LISTING OF PLANNING BOARD FEES 4% FEE

FOR PROJECT NUMBER: 93-37

NAME: I.D.C. SOIL RECLAMATION

APPLICANT: IRA D. CONKLIN & SONS, INC.

DATE	DESCRIPTION	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
08/24/94	4% OF 50,000.00	CHG	2000.00		
08/24/94	2% OF 46,530.00	CHG	930.60		
00/24/54	28 01 40,330.00	CIIC	330.00		
08/25/94	REC. CK. #031070	PAID		2930.60	
		TOTAL:	2930.60	2930.60	0.00

..P.8.# 43-37 i Eng. Inspect. fee

IRA D. CONKLIN & SONS, INC.

92-94 STEWART AVENUE NEWBURGH, N.Y. 12550-3005

PAGE: 1

DNKLIN & SONS, INC. 561-1512
P.O. BOX 7457
94 STEWART AVENUE
BURGH, N.Y. 12550-3005

###Pwc Thousand Mine Hundred Thirty Dollars and 50 cents###

TE ORDER OF

CHECK DATE

AMOUNT

CHECK DATE

O3/25/94

\$ \*\*###2,930.60 \*\*\*\*Two Thousand Mine Hundred Thirty Dollars and 60 cents\*\*\*\*

PAY TO THE ORDER OF

TOWN OF HEW MEMDSOR

### PLANNING BOARD TOWN OF NEW WINDSOR

AS OF: 08/26/94

### LISTING OF PLANNING BOARD FEES **ESCROW**

FOR PROJECT NUMBER: 93-37

NAME: I.D.C. SOIL RECLAMATION

APPLICANT: IRA D. CONKLIN & SONS, INC.

DATE	DESCRIPTION	TRANS	AMT-CHG	AMT-PAID	BAL-DUE
/ /		CHG	0.00		
11/17/93	S.P. MINIMUM	PAID		750.00	
12/08/93	P.B. ATTY. FEE	CHG	35.00		
12/08/93	P.B. MINUTES	CHG	63.00		
02/23/94	P.B. MINUTES	CHG	4.50		
03/23/94	P.B. ATTY. FEE	CHG	35.00		
03/23/94	P.B. MINUTES	CHG	13.50		
04/27/94	P.B. ATTY.FEE	CHG	35.00		
04/27/94	P.B. MINUTES	CHG	162.00		
08/24/94	P.B. ENGINEER	CHG	682.30		
08/25/94	REC.CK031069 +ESCROW	PAID		280.30	<b>)</b>
		TOTAL:	1030.30	1030.30	0.00

IRA D. CONKLÎN & SONS, INC.

P.O. BOX 7457 92-94 STEWART AVENUE NEWBURGH, N.Y. 12550-3005

561-1512

280 BROADWAY NEWBURGH, NEW YORK 12550

PAGE: 1

CHECK NO. 031069

####Two Mundred Mighty Dollars and 30 cents\*\*\*\*

PAY TO THE ORDER OF

CHECK DATE 03/25/94

AMOUNT \*\*\*\*\*\*\*

1:0219024461 1:2250250250231 "031069"

### PLANNING BOARD TOWN OF NEW WINDSOR

PAGE: 1

AS OF: 08/26/94

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 93-37

NAME: I.D.C. SOIL RECLAMATION APPLICANT: IRA D. CONKLIN & SONS, INC.

	DATE-SENT	AGENCY	DATE-RECD	RESPONSE
ORIG	11/17/93	MUNICIPAL HIGHWAY	11/18/93	APPROVED
ORIG	11/17/93	MUNICIPAL WATER	11/19/93	APPROVED
ORIG	11/17/93	MUNICIPAL SEWER . NEED INFOR ON QUALITY AND QUALITY AN		DISAPPROVED ASTEWATER GENERATED
ORIG	11/17/93	MUNICIPAL SANITARY	/ /	
ORIG	11/17/93	MUNICIPAL FIRE	11/22/93	APPROVED
ORIG	11/17/93	PLANNING BOARD ENGINEER	/ /	
ORIG	05/09/94	MUNICIPAL SEWER (RE-REVIEW) . RE-REVIEWED AS PER PLANNING		

= 1 1 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266 =

May 20, 1994

Mr. Mark J. Edsall, P.E.
Town Engineer
Town of New Windsor
555 Union Avenue
New Windsor, New York 12550

Re: IDC Soil Reclamation Facility
River Road
Town of New Windsor, NY

### Dear Mark:

As a result of the April 27th Public Hearing on the above project, we are hereby submitting the additional information requested relative to the noise levels associated with the Soil Reclamation Unit proposed at this site. Since the time of the meeting, we have had the opportunity to collect additional noise measurements including some frequency data to address expected site noise conditions relative to the Town of New Windsor Code. In addition, we have been able to take additional measurements at various offset distances from the equipment to better identify the attenuation associated with the distance separation from the unit. In general, the levels associated with the equipment are low frequency and the following presents a summary of the expected noise levels by frequency for the unit at River Road. These levels would be lower at the residential building located on the west side of River Road opposite the site. These measurements are shown with and without the proposed noise attenuation barrier and represent estimates of the future noise levels with the equipment fully operational.

FREQUENCY RANGE (hz)	TOWN CODE <sup>(1)</sup> REQUIREMENT	ESTIMATED LE RIVER RO W/O BARRIER W/BARRIER <sup>(3)</sup>	
20 ~ 75	67	71	63
75 - 150	66	70	62
150 - 300	61	66	58
300 - 600	54	61	53
600 - 1,200	47	55	47
1,200 - 2,400	39	46	38 -
2,000 - 4,000	29	(2)	(2)
4,000 - 10,000	20	(2)	(2)

### NOTES:

- (1) MAXIMUM PERMISSIBLE SOUND PRESSURE LEVELS FOR NOISE FROM A FACILITY BETWEEN HOURS OF 7:00 PM AND 7:00 AM.
  SOURCE: TABLE I-PAGE 4824 OF NEW WINDSOR TOWN CODE.
- (2) LEVELS AT THESE FREQUENCIES WERE NOT MEASURABLE.
- (3) REPRESENTS ESTIMATED LEVELS WITH NOISE ATTENUATION BARRIER IN PLACE.

As discussed at the meeting and as concluded in our original report, during normal working hours, the background noise levels along River Road are higher than those associated with the site. During the evening hours when the traffic levels on the road drop off, the installation of the proposed noise attenuation barrier will result in levels in compliance with the Town Code and thus, mitigating any potential impact at the adjacent residential building.

If you have any questions regarding this information, please do not hesitate to contact us.

Sincerely, JOHN COLLINS ENGINEERS, P.C.

Philip . Grealy, P.E.

dwp691.edsall

cc: James Loeb John Ewasutyn Gregg Shaw

# 93-37

### SITE PLAN FEES - TOWN OF NEW WINDSOR

APPL	ICATION FEE: 150.00
* *	* * * * * * * * * * * * * * * * * * * *
ESCR	O₩:
SITE	PLANS (\$750.00 - \$2,000.00)\$ 750.00 P
MULT	I-FAMILY SITE PLANS:
	_ UNITS @ \$100.00 PER UNIT (UP TO 40 UNITS)\$
	UNITS @ \$25.00 PER UNIT (AFTER 40 UNITS)\$
	TOTAL ESCROW PAID:\$
* *	* * * * * * * * * * * * * * * * * * * *
PLAN	REVIEW FEE: (EXCEPT MULTI-FAMILY) \$ 150.00
	REVIEW FEE (MULTI-FAMILY): A. \$150.00 \$25.00/UNIT B.
	TOTAL OF A & B:\$
RECR	EATION FEE: (MULTI-FAMILY)
\$1,0	00.00 PER UNIT
	0 \$1,000.00 EA. EQUALS: \$
SITE	IMPROVEMENT COST ESTIMATE: \$ 96,530.00
A. B.	4% OF FIRST \$50,000.00 A. <u>2,000.00</u> 2% OF REMAINDER B. <u>930.60</u>
	TOTAL OF A & B: \$_2,930.60
TOTA	L ESCROW PAID:\$ 750.00
TO E	BE DEDUCTED FROM ESCROW: 130.30
	RETURN TO APPLICANT: \$
	ADDITIONAL DUE: \$ 280.30 (3
14 X	Show for amounts to said he will pass them on to applicant

# Shaw Engineering

## Consulting Engineers

744 Broadway P.O. Box 2569 Newburgh, New York 12550 [914] 561-3695

May 19, 1994

Chairman James R. Petro and Members of the Planning Board TOWN OF NEW WINDSOR 555 Union Avenue New Windsor, New York 12550

Re: Construction Estimate IDC Soil Reclamation Facility

### Gentlemen:

We have presented below for your consideration our construction estimate for the site improvements for IDC Soil Reclamation Facility. Our estimate is as follows:

### **CONSTRUCTION ESTIMATE**

<u>ITEM</u>	<b>QUANTITY</b>	<b>UNIT PRICE</b>	<b>AMOUNT</b>
Macadam Pavement	7,660 S.Y.	\$ 10	\$ 76,600
Pavement Markings	200 LF.	\$ 40	\$ 80
Curb Bumpers	11	<b>\$ 15</b>	\$ 165
Concrete Curbing	135 L.F.	\$ 9	\$ 1,215
Handicap Sign/Striping	1	\$ 100	\$ 100
Water Service	180 L.F.	\$ 10	\$ 1,800
Sanitary Sewer Service	210 L.F.	\$ 10	\$ 2,100
Seeding	1,840 S.Y.	\$ .50	\$ 920
Shrubs	214	\$ 25	\$ 5,350
Trees	58	\$ 100	\$ 5,800
Lampposts	7	\$ 900	\$ 6,300
Total			\$100,430

We trust your Board will find this estimate satisfactory.

Respectfully submitted,

**SHAW ENGINEERING** 

Gregory∕J.,⊗haw, F

Principal

GJS:mmv

cc: Mr. Ira D. Conklin III, I.D.C. Soil Reclamation



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E.

TOWN OF NEW WINDSOR PLANNING BOARD

REVIEW COMMENTS

PROJECT NAME:
PROJECT LOCATION:

IRA D. CONKLIN SITE PLAN RIVER ROAD (EAST SIDE) SECTION 9-BLOCK 1-LOT 98

PROJECT NUMBER:

93-37

DATE:

27 APRIL 1994

DESCRIPTION:

THE APPLICATION INVOLVES A CHANGE IN USE FOR THE EXISTING BULK FUEL STORAGE SITE TO DEVELOP A SOIL RECLAMATION FACILITY. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 8 DECEMBER 1993 AND 23 MARCH 1994 PLANNING BOARD MEETINGS, AND IS

BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS

☐ Main Office

(914) 562-8640 ☐ Branch Office

400 Broad Street

(717) 296-2765

45 Quassaick Ave. (Route 9W) New Windsor, New York 12553

Milford, Pennsylvania 18337

MEETING.

- 1. As noted above, the Applicant is before the Board for a Public Hearing at this meeting. As the Lead Agency under the SEQRA review process, the Board should seek input from the public, not only relative to the site plan application and layout, but also for the potential environmental impacts of this application. I recommend that the Chairman so state in the record, seeking all input from the public.
- 2. A review of the Sewer Department review form indicates the need for the Applicant to contact the Sanitary Superintendent to provide additional information. It is my understanding that no problem exists; however, a final acceptance from the Sanitary Superintendent should be obtained.
- 3. As previously noted, the final plan should include appropriate soil erosion and sediment control measures, to protect all adjoining properties and resources.
- 4. Once the Planning Board has received comments from the public at this hearing, I will be pleased to review and further concerns and continue a detailed review of the plans.

Mank J. Edsall, P.E.

Planning Board Engineer

MJEmk / A: CONKLIN2.mk Public Hearing"

# RESULTS OF P.B. MEETING

DATE: <u>Op. 16 37, 1914</u>

PROJECT NAME: U.C. Soci Reclamation PROJECT NUMBER 93.37	
* * * * * * * * * * * * * * * * * * *	
LEAD AGENCY: when the kind that * NEGATIVE DEC:  M) S) VOTE: A N Letter * M) V S) L VOTE: A 3 N O	
CARRIED: YESNO* CARRIED: YES:NO	
* * * * * * * * * * * * * * * * * * *	
WAIVED: YESNO	
SEND TO OR. CO. PLANNING: M)_S)_ VOTE:A_ N_ YES_NO	
SEND TO DEPT. OF TRANSPORT: M)_S) VOTE:A N YESNO	
DISAPP: REFER TO Z.B.A.: M)_S)_ VOTE:AN_ YESNO	
RETURN TO WORK SHOP: YESNO	
APPROVAL:	
M)_S)_ VOTE:A_ N_ APPROVED:	
$M) V S) L VOTE: A 3 N 0 APPR. CONDITIONALLY: \frac{4/37/94}{}$	
NEED NEW PLANS: YES V NO	
DISCUSSION/APPROVAL CONDITIONS: Jun Lock your proportation - Van Contlan TII Jun	ż
regarding the groyest - Trea Show sporte - Philip Greeley Spoke (TRHTIC)  Carl Monte spoke Regarding Land cape	
A blow John Egitto the feel EAF and get an updated seview	
New barrier should be on final plan	
need Lecusion for noise ut barrier	
Note on plan that the barrier will be me place ofter 7:00 pm. whenever unit is in operation.	
after 7:00 p. M. whenever unit is in operation.	
# 3 of Mark's Comments of 4/27/94	

# D.D.C. Soil Reclamation "Public Hearing"

93-37

1. Arlene Lucas Spoke regarding the noise & Odor & Lours of Aperation Seepage into Kudson River

2. Mike Lucas - Spoke regarding improvement to the property.

Em (5)
V L to Close P.H. O May



PLANNING BOARD: TOWN OF NEW WINDSOR COUNTY OF ORANGE: STATE OF NEW YORK
In the Matter of Application for Site Plan/S <del>ubdivision</del> of
I. D. C. Soil Reclamation,
Applicant.
AFFIDAVIT OF SERVICE BY MAIL
x
STATE OF NEW YORK) ) SS.:
COUNTY OF ORANGE )
MYRA L. MASON, being duly sworn, deposes and says:
That I am not a party to the action, am over 18 years of age and reside at 350 Bethlehem Road, New Windsor, NY 12553.
On <u>April //, /994</u> , I compared the <u>//</u> addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.
Myra L. Mason, Secretary for the Planning Board
Sworn to before me this    day of lipid, 1994
Notary Public )

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
# 4984065
Commission Expires July 15, 1995

AFFIMAIL.PLB - DISC#1 P.B.

### LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the	PLANNING BOARD of the TOWN OF NEW
WINDSOR, County of Orange, Stat	te of New York will hold a PUBLIC
HEARING at Town Hall, 555 Union	Avenue, New Windsor, New York on
April 27 1994 at	7:30 p.M. on the approval of the
proposed_Site Plan	(Subdivision of Lands)*
(Site-Plan)* OF I.D.C. Soil Re	eclamation
located East side of River Road	(Section 9, Block 1, Lot 98)
Map of the (Subdivision-of-Land	ds)(Site Plan)* is on file and may
be inspected at the Planning B	oard Office, Town Hall, 555 Union
Avenue, New Windsor, N.Y. prior	r to the Public Hearing.
Dated: April 11,1994	By Order of
	TOWN OF NEW WINDSOR PLANNING BOARD
	James R. Petro, Jr.

### NOTES TO APPLICANT:

- 1). \*Select Applicable Item.
- A completed copy of this Notice <u>must</u> be approved <u>prior</u> to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

Chairman



# TOWN OF NEW WINDSOR

555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

March 23, 1994

Gregory Shaw 744 Broadway Newburgh, NY 12550

Re: 9-1-98

Owner: Canada Oil Corp.

Dear Mr. Shaw:

According to our records, the attached is a list of all properties contiguous to the above referenced property.

The charge for this service is \$25.00, which you have already paid in the form of a deposit.

Sincerely,

Leslie Cook SOLE ASSESSOR

LC/cad Attachments cc: Myra Mason ACS Property Inc.

75 River Rd.

New Windsor, NY 12553

Consolidated Rail Corp. Property Tax Dept. F.O. Box 8499 Philadelphia, PA 19101

Belcher Co. of New York Inc. c/o Coastal Fuels Marketing Inc. P.O. Box 4372 Houston, TX 77210

Krieger, James S. & Susan F. Route 94, RD #2 Box 101 New Windsor, NY 12553

Klein, William RD 3 Box 243 Wallkill, NY 12589

Lucas, Michael & Arlene J. 27 Cullen Ave. New Windsor. NY 12553

6 - above lest

5 - Jown officials + Reps.

5 - Envelopes Mailed

3 - hand distributed 3 Town Clerk

3 - hand distributed 3 P. B. Chajiemen

# RESULTS OF P.B. MEETING

DATE: //lanch 23, 1914

PROJECT NAME: I.D. C. Seed Redoral	PROJECT NUMBER <u>(3 3 / </u>
* * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * * *
LEAD AGENCY:	* NEGATIVE DEC:
M) S) VOTE: AN	* M) S) VOTE: A N
CARRIED: YESNO	* CARRIED: YES:NO
* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * *
WAIVED: YES	NO
SEND TO OR. CO. PLANNING: M)_S)_	VOTE: A N YES NO
SEND TO DEPT. OF TRANSPORT: M)S	VOTE: ANYESNO
DISAPP: REFER TO Z.B.A.: M)S)	VOTE: AN YESNO
RETURN TO WORK SHOP: YES	NO
APPROVAL:	
M)_S)_ VOTE:AN_ APPRO	OVED:
M)S) VOTE:AN APPR	. CONDITIONALLY:
NEED NEW PLANS: YES NO_	
DISCUSSION/APPROVAL CONDITIONS:	
Set april 27th 1994	or P.H.
,	



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E. ☐ Main Office 45 Quassaick Ave. (Route 9W) New Windsor, New York 12553 (914) 562-8640

☐ Branch Office 400 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

TOWN OF NEW WINDSOR PLANNING BOARD REVIEW COMMENTS

PROJECT NAME:
PROJECT LOCATION:

IRA D. CONKLIN SITE PLAN RIVER ROAD (EAST SIDE) SECTION 9-BLOCK 1-LOT 98

PROJECT NUMBER:

93-37

DATE:

23 MARCH 1994

DESCRIPTION:

THE APPLICATION INVOLVES A CHANGE IN USE FOR THE EXISTING BULK FUEL STORAGE SITE TO DEVELOP A SOIL

RECLAMATION FACILITY. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 8 DECEMBER 1993

PLANNING BOARD MEETING.

- 1. Since the December meeting appearance, two significant actions have been taken with regard to the application. First, a Lead Agency Coordination letter was issued on 2 March 1994 to all apparent involved agencies of the project. In addition, on 18 March 1994 and 19 March 1994 the Applicant performed a field test of a portable unit, on the site, for the benefit of the New York State Department of Environmental Conservation and Planning Board representatives.
- 2. At this time, the 30 day period for coordination of Lead Agency has not yet expired. As such, the Town cannot yet act formally as the Lead Agency; however, relative to SEQRA, I suggest that the Board consider the scheduling of the Public Hearing, with the intent that same is utilized to receive both comments related to the site plan application and, as well, any comments with regard to the environmental review. It is my suggestion that the Public Hearing Notice clearly indicate same.
- 3. With regard to the site testing recently performed, I suggest that the Planning Board members review the results of this test with the Applicant and any Town representatives which may have observed this test run.
- 4. Until such time that the Public Hearing phase of the project has been completed, I will defer any further reviews of this application.

Mark)J/Edsaff, P.E.

Planning Board Engineer

MJEmk

A: CONKLIN mk

### RESULTS OF P.B. MEETING

DATE: <u>Jebruary</u> 33, 1994

PROJECT NAME: VDC. Soil Recovery S.P.	PROJECT NUMBER 93-37
* * * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * *
LEAD AGENCY: *	NEGATIVE DEC:
M) S) VOTE:AN*	M)S)VOTE:AN
CARRIED: YESNO*	
* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * *
WAIVED: YES	4O
SEND TO OR. CO. PLANNING: M)S) V	OTE: A N YES NO
SEND TO DEPT. OF TRANSPORT: M)S)	VOTE: A N YES NO
DISAPP: REFER TO Z.B.A.: M)S) VO	TE:ANYESNO
RETURN TO WORK SHOP: YES NO	
APPROVAL:	
M)_S)_ VOTE:AN_ APPROVE	D:
M)_S)_ VOTE:AN_ APPR. C	ONDITIONALLY:
NEED NEW PLANS: YES NO	
DISCUSSION/APPROVAL CONDITIONS:	
(1) (1) Mark to sand	Coordination Letters

### IRA D. CONKLIN SITE PLAN (93-37) RIVER ROAD

James Loeb, Esq., Gregory Shaw of Shaw Engineering and Ira D. Conklin, III appeared before the board for this proposal.

My name is still James Loeb and I'm MR. LOEB: appearing tonight for Ira D. Conklin and Sons, Inc. I'm accompanied tonight by Ira D. Conklin, III and by John Ewasutyn from Ira D. Conklin and Sons and by Greg Shaw, our design professional, engineering professional. My client is the contract purchaser of property on River Road. It consists of 4.44 acres, the owner is Canada Oil Corporation. The owner has signed a proxy permitting us to appear before you. You may know it as the Norman Shotmeyer Terminal and the tax maps, it's section 9 block 1 lot 98. It's zones PI. We're before you tonight starting at the review procedure leading to site plan approval for a soil reclamation facility. We seek to locate a soil recycling unit on the property. We'll be calling it from time to time an SRU. Our papers will discuss it We'd like to introduce the project to you in that way. this evening. We'd like to initiate the SEQRA procedure by your assuming lead agency status. believe this to be an unlisted action. We filed a short form. I'm sure that you will ask us to supplement us with a long form which we'll be doing. I'm going to ask Greg in a moment to review the site plan with you that is up there. I'm then going to ask Ira Conklin to go over with you the operation of the soil recycling unit and after those presentations are through, I'm going to refer the board to a letter that I wrote in October when we had hoped to be able to present this to you, that letter tells you that we're filing and have filed with the DEC because the DEC has jurisdiction over this as well for permission and one of the DEC's requirements is that this unit an actual test on the site that we propose to locate it on and one of the things I'm going to ask you to consider when you hear how the unit works is to agree that a test would be appropriate. We had thought that the DEC and my letter says so would schedule a test in November as you can see, we're still waiting to hear from the DEC

but we'll hear from them. We think that having the test on the site is a very, very important step in understanding what's going to happen on the site. We'll move the equipment there, have the test and move it off. We hope that you agree to this and we want to notify you when the test is being scheduled. We expect to get ten days notice and invite you to join with us when the test takes place so that we can all see it. We think it's appropriate that we ask your permission to do it, even though the DEC will order it but we think that it is good if we work on this together.

MR. VAN LEEUWEN: I don't want to throw a monkey wrench in this thing but is the Hudson River Commission and all those people notified?

MR. LOEB: DEC has absolute jurisdiction on everything that is going on there. We aren't going into the river. We don't need a permit because this isn't an operation that goes into the river.

MR. DUBALDI: There's no discharge?

MR. LOEB: No discharge at all.

MR. VAN LEEUWEN: You don't have to contact them?

MR. LOEB: No, the DEC is the agency in the state we have to get a whole series of permission from that you will hear both from Greg and from Ira and in a sense we're fortunate it's one agency and all the permits come from them. Greg, do you want to go over the site plan?

MR. SHAW: Maybe the best place to start is what physically exists on the site right now. What I'd like to present to you is this photo display which has generated photos of the site from different angles from River Road from adjacent properties and from the river. If you look on the second drawing, you'll see that there's a plan of what exists today, I call it a demolition plan. But really the purpose of that plan is to show the board what physically exists on the site as of this date. Some components of the site are 7 tanks of which 5 will be removed, 2 will remain. There

are a couple building structures they'll be demolished. There are some parking areas which are going to be regraded and be expanded and there's going to be existing railroad siting which is going to be temporarily removed. When I say temporarily removed, we're going to be removing sections of the track which are on our property, not going into the Con Rail right-of-way.

MR. DUBALDI: The abandoned tracks?

We hope at some point in time that MR. SHAW: Correct. those tracks will come back and that this operation cannot only take in soil by vehicle but also but possibly by rail, that is why I say temporarily removed. The plan designates it as such. kind of gives you an overview of what exists on the site doday. On our next board we're proposing for the site I mentioned that 2 of the tanks are scheduled to remain, they are designated in these 2 particular areas. What improvements we're proposing to add to the site is an office area in this particular location, a new scale which will be weighing the vehicles before and after they bring the material to the site. will be a parking area for employees and visitors on the southerly side of the project and there's an existing oil water separator which will continue to remain that presently exists today right now. other features of the site that we've taken into consideration, there's another board behind us which I'll get into is landscaping. Again, if you look at the site, if you look at the photos or driven passed the site, it's very open, looking at 7 rusted tanks is not a pretty sight.

MR. VAN LEEUWEN: It hasn't changed in 30 years.

MR. SHAW: What we have done is we spent a good amount of effort in trying to visually mitigate this project to give it some landscaping which it presently does not have and again Drawing 4 of your site plan submissions is a very detailed landscaped plan which if you have a chance, please look at. What we're proposing to generate a landscaped buffer on the northerly portion of the site and that would hopefully block views into

the site of traffic heading in a southerly direction. We plan on creating a berm along River Road on our property there is presently an existing green space we're going to bring earth in, raise it higher and embellish it with landscaping. Also there's going to be landscaping on the southerly side of the project again we're creating additional berms and landscaping to mitigate the view of traffic heading in a northerly direction and probably most importantly, is the landscaping which is going to be along the river. Maybe it would be appropriate to just touch on that for a second. What we've done is tried to give the board a feel for what you would visually see if you are on the river looking into the site. We're going to be bringing in fill and creating berms. We're going to be raising up the elevation of the grade adjacent to the Con Rail right-of-way again for visual mitigation we're going to go through extensive effort of planting a buffer area that being hemlocks I believe there's white pines and also other numerous trees and this will be the view looking at the site, this would be the southerly property line. This would be the northerly property line, this would be one of the tanks which would be in the background. And the tanks again are going to be painted an earthtone color so again it blends in. It's something that Ira D. Conklin and Sons felt was very important to the site to visually buffer it as much as possible for their benefit and also for our neighbors.

MR. DUBALDI: Is the only benefit from the landscaping going to be screening from the property? There's no other reason that you are putting in all this landscaping?

MR. SHAW: Correct. Going back to how the site is going to operate, vehicles entering the site are going to be heading in a northerly direction, more than likely from Route 9W. They are going to be bringing in tractor trailers, they are going to be turning in this fashion and we're going to have a staging area where vehicles will have soil on them. Then one by one, the vehicles will back in over the scale, be weighed and deposit the material onto this concrete slab. Then they'll pull out, be weighed and they'll take off again

in a southerly direction. We have a sufficient staging area where we believe we can easily fit seven to ten vehicles, again during those periods when they would be stacked up and again we don't anticipate that great a number of vehicles all the time. But there's room to accomodate them. They'll not be backed up on River Road.

MR. VAN LEEUWEN: You have got plenty of room there for that. I know the site.

MR. SHAW: Once the material gets deposited on to the slab, it will go through the screening operation where the different size stones that may exist in the soil will be taken out and it will be stockpiled and again that will be hauled onto a vehicle and taken off site. The material once it is screened will be placed into one of the tanks, there will be overhead doors cut into the side of the steel storage tanks. If you can envision the tank and the door will be about four feet The purpose of that is to keep any water above grade. from entering the tank during any period of high flows, talking with respect to a noreaster that may come in which is going to push the tide up to a higher elevation. So, the material in its unprocessed state will be sitting in this tank. As the operation begins, each soil will be taken out of this tank and put into the soil reclamation unit where it will be incinerated. Upon incineration, it will be placed again into the second tank which is scheduled to remain which is called the processed soil tank. And again with this tank, there will be overhead doors cut into that also where a front-end loader will come in, take the material out of the tank, put it into a vehicle and it will be taken out to this general area which we call the shipping area. Again, that will depart in a southerly direction. That gives the board a general feel on how the operation is to exist. With respect to the infrastructure, we'll be tying into the Town of New Windsor water system. It will be a water service primarily for the offices. Water is not required as part of the process, for this particular operation. With respect to sanitary sewage, we'll be connecting into Sewer District 9 of the Town of New Windsor, the effluent that we'll be discharging will be waste water

generated primarily by the offices. No processed There will be no water which will be generated by this operation which will be dumped into the sewer main on River Road which ultimately goes to the sewage treatment plant. With respect to the storm drainage presently also there's a catch basin on the site in this general vicinity along with an oil water separator. The grading of the site is such that all water will be going to this catch basin. And that in turn will flow into the existing separator which is connected to the stream which is along the northerly portion of the property. The stream takes water from River Road as you can see it's in blue, through the Con Rail property and discharges into the Hudson River in this fashion. The piping exists, the separator exists, the purpose of it is that it separates storm water and they'll continue to do so after our operation. final point and it's on the site plan and not on this drawing is that the construction of this concrete slab is going to be such that it will have a value that any storm water that discharges in and is generated by this concrete slab will flow to this corner where there will be a catch basin and that will be piped to an existing 4,000 gallon tank underground that is a closed container and during a rain storm, should there be any rain that enters the slab and discharges into the catch basin, into the tank that will be pumped out.

MR. PETRO: To where?

MR. SHAW: To a point of legal disposal.

MR. SHAW: You can't burn it.

MR. CONLINE: No, I separate the water at the Stewart Avenue facility in Newburgh. We have a 360 permit at that facility there. That is where we're going to treat the water.

MR. PETRO: Because it's coming off?

MR. VAN LEEUWEN: You take the water from the site to Union Avenue and separate the water and the gasoline or the oil or whatever you have in it at that point?

MR. CONKLIN: Yes.

MR. SHAW: There will be particulars to the site which we're sure you want to address with Ira but that is the overall plan. Again it's relatively simple. The soil comes into the site by vehicles, back up over a scale, gets weighed, deposits some material on the slab, truck pulls away, it's screened, it goes from the slab into tank number one. From there it goes into soil reclamation unit and then once it is incinerated, gets placed in the process soil tank and from there into a vehicle and shipped out.

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MR. DUBALDI: How high is the dirt going to be stored on this concrete slab, roughly, I mean are you talking--

MR. SHAW: Three feet.

MR. CONKLIN: I would say probably six to eight feet whatever a tractor trailer would dump out.

MR. DUBALDI: It wouldn't, just as a suggestion, I don't know really talking why don't you put a roof or anything on there to prevent the water?

MR. VAN LEEUWEN: DEC will tell them not to do that.

MR. DUBALDI: This way you don't have to do that.

MR. VAN LEEUWEN: DEC is going look at it very closely.

MR. LOEB: DEC will make the determination on that and that is one of the things that they'll be looking at.

MR. LANDER: Getting back to his question, they have to be able to dump the vehicles once they get there so and it piles only six to eight feet but the vehicle that brings the dirt is going to dump it it quite a bit higher elevation than that.

MR. VAN LEEUWEN: You need 25, 30 feet if you go up 30 feet with a building, let's say you put it on poles and you don't put any walls up the rain will blow in anyway.

MR. SHAW: Presently, you have storm water which is discharging across River Road through these culverts and into this existing stream which flows underneath the Con Rail tracks and into the Hudson. You'll see with this existing oil water separator here's the existing 8 inch pipe, all this is presently in place, we plan on just utilizing this. We're not adding anything to it.

MR. LANDER: If I remember correctly Mr. Loeb stated there's nothing going to be discharging into the river.

MR. VAN LEEUWEN: Don't worry, DEC is not going to let them.

MR. LOEB: That is correct.

MR. PETRO: We're going to recommend that full environmental assessment form.

MR. EDSALL: It might be worthwhile for you to bring the applicant's attention to some of the items that I thought they should at least consider in completing the full EAF as well as any other items they feel are appropriate. However, I think we should tell them although you may very shortly decide to take lead agency, until you have got a complete package of information, we would not start the 20 day time clock and we really can't make any determination.

MR. VAN LEEUWEN: We can't take lead agency tonight.

MR. EDSALL: Effectively until they submit all the forms you as lead agency want, you can't do it.

MR. VAN LEEUWEN: Come in with the long form, then we'll go.

MR. EDSALL: What Hank what the law says 20 days from taking lead agency or upon receiving all the information you want you have to a make a decision so if you take lead agency, take it telling them you don't have a complete submission therefore we're postponing making any decision until you give us what we want so

you have your choice if you want to get it out of the way.

MR. PETRO: We'll wait until next time. There's no reason to do that tonight.

MR. VAN LEEUWEN: Any idea when we'll be getting the permit?

MR. CONKLIN: New York State Permit to burn anywhere in New York State on January 1.

MR. VAN LEEUWEN: So you want to get started around that area?

MR. CONKLIN: Yes.

MR. LOEB: We would estimate we'll not be in a position to give you a full environmental assessment form with the supplements that we think you want. I even had a chance to read Mark's yet but that we think you want when you deal with traffic and noise for another six weeks because we're completing the studies now and we're not anxious to give you the document without the material that we think you should have. So it will take us that long, that may be why Mark has suggested you considering assuming lead agency status but you don't designate, you don't classify the project until you have had a chance to read all the supporting documents. Of course it will take us that long to do it.

MR. PETRO: How would that benefit the applicant if we took lead agency tonight or next meeting?

MR. LOEB: The only reason I like to accomplish something I'd like to send it out to the DEC to show that but you can't take any action until we give, you really can't do anything substinative.

MR. PETRO: Until we have all the information required. So the 20 days it's a moot point.

MR. EDSALL: Once they submit the complete package that you have requested, then the 20 days begins.

MR. PETRO: Can I have a motion for lead agency, please?

MR. VAN LEEUWEN: I'll so move.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take lead agency on the Ira D. Conklin site plan on River Road. Any further discussion from the board? If not, roll call.

#### ROLL CALL

MR. VAN LEEUWEN AYE
MR. LANDER AYE
MR. DUBALDI AYE
MR. PETRO AYE

MR. PETRO: If you can go over some of these comments from here, James, initial appearance of this plan looks in order.

MR. VAN LEEUWEN: I would say things have been covered very well.

MR. BABCOCK: Maybe we should get the applicant to discuss the construction of these buildings, the new office building. It's a peculiar layout for a building, if they are going to be office trailers, it would require a special permit under the PI zone. Maybe we ought to get that on record, find out if they are going to do that.

MR. PETRO: Are they office trailers?

MR. CONKLIN: That is what I was originally planning on. However, if, you know, I'm pretty flexible.

MR. PETRO: Can you build a regular building there?

MR. CONKLIN: Sure.

MR. PETRO: Out of masonry?

MR. CONKLIN: Sure, we can do that.

MR. PETRO: That is a nice recommendation, other than office box cars, especially since you have such a nice site, I think your landscaping would be more than the office box cars from the plan.

MR. CONKLIN: Yes.

MR. VAN LEEUWEN: Otherwise, you can put trailers in for a period of two years.

MR. PETRO: He wants to build a building.

MR. BABCOCK: It's right now the board under the PI zone, only has the power to approve that for a six month period.

MR. CONKLIN: Our thoughts originally were everything is portable on this whole plant, including the offices and the soil, the SRU and anything that is on the property is portable.

MR. PETRO: Burning unit itself?

MR. CONKLIN: Yes.

MR. VAN LEEUWEN: Is the burning unit portable too?

MR. CONKLIN: Yes, it is.

MR. LANDER: He was saying before the meeting that this unit can be taken to a site and set up and used.

MR. EDSALL: Difficulty is in the fact that if it is a trailer, the zoning law doesn't permit it. However, if they put in conventional foundation and had a pre-manufactured building set on the foundations, then they'd always have the ability to. We're now still trying to resolve if they had pre-manufactured, they can comply so that is one other option.

MR. PETRO: Why don't you work that out with the applicant, the board would like to see a nice structure

obviously than a trailer. One other thing I don't know myself, the burner unit itself, you might want to check into some setbacks away from maybe the tanks or buidings or pads, I don't know if there's setbacks on the burner units but according to this scale here, you have only about 20 feet between all these. I don't know how hot that unit gets or if there's any exterior temperatures. Look into that and see if there's any setbacks.

MR. SHAW: Yes.

MR. LOEB: Do you want any information on the unit? Ira is prepared to discuss it.

MR. PETRO: DEC.

MR. LOEB: I know that you are familiar with it but this is another, a later generation.

MR. PETRO: I don't think we need to know about the unit.

MR. LANDER: How is the material taken from the burning unit and how is it stored in this?

MR. CONKLIN: It comes out of, there's a conveyor that comes out or the burner, a screw-type conveyer that comes out of the unit, goes right into the finished product tank and the material inside is stored in certain areas.

MR. PETRO: I had one other question, Greg mentioned that the loading of these tanks would start at four feet above grade. Are you going to fill the inside of the tank to four feet to get it up to four feet?

MR. SHAW: No, there will be a ramp.

MR. BABCOCK: Door elevation is 4 foot high, not the tank.

MR. SHAW: Access would be a ramp up and a ramp inside.

MR. PETRO: I think the Planning Board and I don't want

to overstep my bounds but likes the appearance of it and anything else on your sheet to be done with the applicant right at this time?

MR. EDSALL: I think the ball is in their court right now.

MR. PETRO: Thank you.

MR. LOEB: The only thing I'd like you to do is I'd like the board to agree that we can have this burn test cause the DEC is going to require that we do it.

MR. VAN LEEUWEN: I have no problem.

MR. LOEB: I want to make sure that you are aware of it. We want to do it on the site. It's unusual that an activity take place before site plan approval is granted, that is why I want to bring it to everybody's attention. Ira thinks February is probably the month.

MR. PETRO: I feel as we're talking the burn unit is going to come on the site, they are going to have to do a testing for DEC which will occur before final approval, do you have any problems with the testing for DEC purposes?

MR. LANDER: No. What would the tests be for? They've actually seen these units in operation before, I don't know, maybe the way the wind blows down there by the Hudson?

MR. CONKLIN: It's for what's called air modeling, the unit is approved in New York State and gives about as much emissions as a two-family house does with an oil-fired furnace, for layman's terms, I guess in a day but they'll set up different monitors around the property and we'll burn different kinds of soil from number 4, number 2, diesel fuel, gas lines and take some readings and verify that it's going to be all right.

MR. PETRO: Greg, this is for your information also on 11/22/93 we have municipal fire approval but on 11/7/1993 we have municipal sewer disapproved. Simply

for information of quality and quantity of water obviously you told us it's only going to be bathrooms in offices so--

MR. SHAW: That will be in the long EAF so that will be addressed but again it's just sanitary.

MR. LOEB: Well, as soon as we hear from the DEC on the date, I'll make sure that you all know about it so that you can attend. I think we're all going to want to be there.

MR. LANDER: I make a motion we adjourn.

MR. DUBALDI: Second it.

### ROLL CALL

MR.	VAN LEEUWEN	AYE
MR.	LANDER	AYE
MR.	DUBALDI	AYE
MR.	PETRO	AYE

Respectfully Submitted By:

Frances Roth Stenographer

### CORRESPONDENCE

MR. PETRO: Before we get to the regular items on the agenda, I have this letter from Ira D. Conklin and Sons. On this date I met with Mark Edsall at the Association of Towns Seminar and have DEC's long form regarding the above subject which is the Clean Earth on River Road. Please establish your intent for lead agency at the 2/23/94 Planning Board meeting. See any problem with that?

MR. EDSALL: No. As a matter of fact, evidently John had spoken with DEC and they were looking for the Planning Board's position on that. If you so move, I can issue the normal lead agency coordination letter indicating your intent to take lead agency unless somebody else indicates that they would care to do so.

MR. PETRO: DEC has no objection?

MR. EDSALL: If you authorize me to send a letter tonight, I'll take care of that.

MR. PETRO: Motion to that?

MR. DUBALDI: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board take lead agency for the Ira D. Conklin and Sons application site plan. Is there any further discussion from the board members? If not, roll call.

### ROLL CALL

MR. LANDER AYE MR. DUBALDI AYE MR. PETRO AYE

The Planning Board would like you to send out a letter to all concerned as we have taken lead agency.

### REGULAR ITEMS:

### I.D.C. SOIL RECLAMATION (93-37) RIVER ROAD

Gregory Shaw, P.E. of Shaw Engineering appeared before the board for this proposal.

MR. SHAW: The purpose of me coming before you is to confirm or actually personally request that which I put in writing to the board requesting that we establish the date of April 27 for the public hearing for I.D.C. Soil Reclamation. We felt it was appropriate now that we had the test burn behind us on the State inspection that it be appropriate to set up the public hearing for the second meeting in April. And that is it in a nutshell.

MR. PETRO: All the letters went out for the coordination?

MR. EDSALL: Yes. The 30 day period has not expired but it will have been long expired by the time the public hearing is held.

MR. PETRO: So then we can take lead agency?

MR. EDSALL: Correct.

MR. PETRO: I have no problem in setting that date. Set the date for April 27, 1994 for public hearing on the I.D.C. Soil Reclamation on River Road.

MR. EDSALL: Anyone interested in bringing forth any environmental concerns would have that opportunity.

MR. SHAW: Absolutely.

MR. PETRO: That is correct. Applicant have anything to say to the board at this time?

MR. IRA CONKLIN: No.

MR. LANDER: For the board's input, I was at the test burn with Mark and the only people that will be effected by the noise there is people who live in Beacon, the way they are going to set it up. It wasn't as noisy as I thought it was going to be. They even have a silencer that they are going to put on it to even make it quieter.

MR. VAN LEEUWEN: You mean the noise bounced off the water?

MR. LANDER: No, I was only adding a little--

MR. VAN LEEUWEN: Fun.

MR. LANDER: It was fairly quiet.

MR. VAN LEEUWEN: I never heard one of those machines.

MR. CONKLIN: We're working at the Town of Clarkstown now treating soil then to Poughkeepsie and Valley Forge Apartments has contaminated soil. We'll be there.

MR. VAN LEEUWEN: Where is Valley Forge?

MR. CONKLIN: Forge Hill, it's near Marko's.

MR. VAN LEEUWEN: When are you going to be there?

MR. CONKLIN: Probably in two weeks.

MR. VAN LEEUWEN: I'll stop by and take a look.

MR. PETRO: While you're here, Ira, has anyone contacted you from the Coastal Station, namely Mr. Leonardo, the owner? I know they have a large pile of dirt and the Planning Board at the time of approval has given them four months I believe it was.

MR. VAN LEEUWEN: April 1st.

MR. PETRO: To remove the dirt and have it burnt and cleaned. They insinuated they were going to have you do it. You were not open yet, but we want to know that they are looking to make progress.

MR. CONKLIN: I think they contacted us and asked for prices. They were in a big rush and we got them prices

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and we haven't heard from them. We could go right there on the property and take care of it now right up from the apartments.

MR. PETRO: You're able to comply at this point?

MR. CONKLIN: Yes, we need to give the New York State DEC 15 days notice prior to going on a site but we can go to any site in New York.

MR. DUBALDI: I move we adjourn.

MR. VAN LEEUWEN: Second it.

### ROLL CALL:

MR.	VAN LEEUWEN	AYE
MR.	DUBALDI	AYE
MR.	LANDER	AYE
MR.	PETRO	AYE

Respectfully Submitted By:

Frances Roth Stenographer

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### I.D.C. SOIL RECLAMATION SITE PLAN (93-37) - RIVER ROAD

James Loeb, Esq., Gregory Shaw, P.E., Phillip J. Grealy, P.E., Carl Monte and Larry Woods appeared before the board for this proposal.

MR. PETRO: The board will review it and at a later time, we'll open it up to the public.

MR. LOEB: Good evening, my name is James Loeb and I'm / appearing tonight for Ira D. Conklin and Sons, Inc, they are the contract purchasers of the former Shotmeyer Oil terminal on the east side of River Road tax map section 9 block 1 lot 98. The property consists of approximately 4.4 acres. It's in the Planned Industrial Zone. We're here this evening for a hearing on a site plan to operate a soil reclamation unit on the property. It's an activity that is permitted in the PI zone subject of course to site plan approval. We understand our responsibility to address a series of items in the zoning regulations, noise, traffic, visual, drainage, landscaping and to demonstrate that we have taken care to mitigate any impacts produced by the S.R.U. In addition to the New Windsor Zoning Regulations, we must comply with SEQRA aand the issues that the Planning Board must consider in connection with the environmental reviews are virtually the same that you would consider on a site As lead agency, you have classified this project as unlisted and the applicant has prepared and filed an exceptionally complete environmental assessment form. It's a full EAF with supplements for visual assessments, storm water management, traffic, noise, a site investigation report, the S.R.U. emissions and what I think is particularly appropriate for an operation, a commercial operation, the emergency response contingency plan. You should also know that Ira D. Conklin has received an air quality permit from the DEC, that topic is solely within the jurisdiction of the DEC. I would suggest that even though the DEC regulations do not require a public hearing for an unlisted action, that the board consider this hearing as part not only of the site plan review but of the

SEQRA process so that if any issues arise, we can address them as well as part of the SEQRA concerns. Our presentation this evening will be made first by Ira D. Conklin, III as a principle in Ira D. Conklin and He will review the proposal from an operational He will be followed by our licensed level. professionals, Greg Shaw, Professional Engineer with the project, engineer who reviewed the site plan, Phillip J. Grealy, Professional Engineer from John Collins Engineers, P.C. will address traffic and noise and finally Carl Monte, a landscape architect will address the visual aspects, both the existing conditions on River Road and the visual enhancements that we propose as part of the project. I think that the easiest way for us to go through this is we'll produce all of our people, let them run through their exhibits and their testimony and then of course we're here to respond to any questions. We have one other gentleman with us who may be asked to respond. name is Larry Woods, he's the manufacturer of the unit. I had not necessarily intended to offer him as a presenter but he's here, should any questions come up about specific operational matters. I think Mr. Chairman that should permit me to introduce Ira D. Conklin, III and let him discuss the operation.

MR. PETRO: Thank you.

MR. CONKLIN: Again, for those of you who don't know me, my name is Ira Conklin, III. My grandfather started Ira D. Conklin and Sons, which is a pump and tank business in the town. I have been active in the In 1985, New York State enacted business since 1977. regulations governing underground storage tanks. subsequently thereafter, have started regulating the soil that is around these tanks, if it happens to be contaminated with oil or gasoline. Up to about three years ago, there was most of our customers would bring the soil to landfills, that was the cheapest, the quickest way to get rid of the soil, get it off their property. However, everybody was waking up to the fact that once it's in the landfills, they are still responsible for it. The generator is responsible from cradle to grave. At that point, the landfill's started getting gasoline and oils in their systems and back

charging those generators with that soil and at that point, we saw the need for a better way to remediate the soils. We researched many different ways and found that thermoremediation or thermotreatment of the soils was pretty much the only way or the best way for our customers to go most economically and the quickest. January of this year, the DEC put in a regulations, a 60 day time period for when you find you have contamination and are listed as a spill number, you have 60 days to notify the DEC with what you're going to do with that soil. So there's now also a time constraint for the soil and that is another reason that, we need to address this now. We try to stay on the forefront of the pump and tank business and we've got a lot of people that work for us and we want to keep them working and keep up on the forefront.

MR. PETRO: Explain for myself and maybe some people that are here when you say thermoremediation, was that the right word, what exactly do you do to the soil?

MR. CONKLIN: Heating the soil in a rotary kiln up to 800 degrees and takes the volatiles, organics, oils, anything that is in that, super heats the soil, takes any emissions that come out of that through a bag house or filter house. From there it goes through a secondary heater that goes up to 1,500 degrees and takes all the emissions and everything out of the soil. The soil will not grow a weed into it. When it comes out of the unit, it's basically not forever but if you put it out, natural germination would take over and you'd get some bacteria in the soil. It's a good, salable item for golf courses who want to fill in their course without introducing weeds and other foreign weeds into the golf course. They can put their own fertilizers and seeds into that.

MR. PETRO: Bottom line is you cook the soil clean.

MR. CONKLIN: That is pretty much it.

MR. LOEB: If I may, we brought samples of soil that has been remediated and you may want to just describe it and we'll leave it as an Exhibit because everybody has asked the same question. We thought it would be a

good idea so you can see what it is we have.

MR. CONKLIN: This is from New York Telephone in Poughkeepsie, diesel and gasoline from a diesel and gasoline tank that came out of the ground and this, the material has been through the incinerator, doesn't look or feel or smell anything different.

MR. PETRO: This has been processed?

MR. CONKLIN: That has been processed.

MR. PETRO: This is not processed?

MR. LOEB: It's a before and after. We can leave those with you, if you want.

MR. PETRO: Leave them through the public hearing would be a good idea.

MR. CONKLIN: We, in our normal course of operation, yearly operation, we generate ourselves or our customers around 30,000 tons a year of contaminated There's a lot of material out there as you know from your own experience, the station on the Five Corners in Vails Gate had some material sitting there for a while. I understand it's been moved today, for the few who are wondering about that still. talked with the DEC and the reason we wanted, we have right now a portable permit. We can go anywhere in New York State and treat soil and we have been doing so for the last two months now. We were just awarded a large bid for the Westchester County Airport which there's about 4,500 tons down there. Our reason for wanting a fixed facility is because the size of gas stations anymore and by the time you get the building, canopy and the pumps and the tank area, there's really not much room left. And with the large pile of dirt that takes up the last little bit of room, let alone screen, M.R.S.U., the oil tank that is needed for the flame for the unit, there's really not enough room and there's not control for the general public. Anybody can come in and walk around and we're looking for a controlled spot instead of out at a smaller station. We can truck the material into the plant and treat it safely.

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MR. VAN LEEUWEN: How many tons can you treat a day?

MR. CONKLIN: We can treat about 20 tons an hour.

MR. VAN LEEUWEN: That means in and out?

MR. CONKLIN: It takes about 7 minutes, I believe, in drum time. It depends on what the soil is contaminated with, if it's contaminated with heavier or lighter oils. We've talked with the DEC about siting a facility. We had a few different places picked out. We talked to them and they, the consensus between ourselves and our initial feeling from you folks that the River Road property would be, our neighbors are all alike down there, they are dealing with flamable liquids and they've got tractor trailers running in and out and it's a good area. The property that we're looking to purchase does have some contamination on it and we're going to clean up that property along with it.

MR. PETRO: Be your own first customer.

MR. CONKLIN: Yeah, so to speak.

MR. VAN LEEUWEN: Have you got all the permits from the DEC that is needed?

MR. CONKLIN: We have applied for all of the permits from the DEC. They however don't move that quickly. I understand that we're getting a negative declaration right now that they have no problems with it this week. May 2nd they said they issued it.

MR. VAN LEEUWEN: When we take a negative dec, we have to make sure the DEC approves it before we can do anything.

MR. CONKLIN: I can't speak for the DEC on what they'll do and what they'll say. The feedback we have had is that they need it and they are positive about it and we haven't heard any negatives from them so far.

MR. LOEB: Let me address that for a minute. It's an

interesting mixture as you heard Ira say, it is approved and can go anywhere in New York State so that the DEC has already approved the operation of this unit on a portable basis site to site to site. It's my belief that the DEC is in part waiting to hear from the Town of New Windsor and an approval to locate this unit on a permanent basis, because they want to make sure that you are satisfied that we have met the local regulations. None of us have jurisdiction over emissions and air quality. That is all DEC. that we can meet that because we already have that permit on a portable basis. So while in a sense it's a chicken and an egg, it really isn't. We know from the DEC's prior action that they are looking very favorably This is an environmental cleanup procedure, on this. the one that works. We really think that at the end of the hearing, you'll be satisfied and we're going to call upon you when you are satisfied to act. that will help us spur the DEC on. I think they are waiting to, they are frankly.

MR. PETRO: Jim, you touched on another point I'll address this to anyone that can answer it about the emissions. I know that the DEC said it's fine on the portable unit. Are there any smells or odors or anything that goes into the atmosphere that is going to bother neighbors or going to be offensive to anyone living in the area that you know of?

MR. CONKLIN: We have been running the machine. My experience with the machine is about 2 1/2 months now and we have not, we don't have any emissions coming out. The CO, carbon monoxide, coming out of the stack of the final stack, a car puts off around 90 parts per million. We're returning between 27 and 32 parts per million so we're way below what a car would be. Our limits set by the DEC is 100 parts per million.

MR. PETRO: No foul odor at all?

MR. CONKLIN: No, there's a steam emission that comes off. The soil comes out at around 400, between 4 and 500 degrees coming out of it and we introduce moisture into that soil so we don't have dust. In doing that, there's a steam, a vapor that comes off. But that is

the only vapor and there's no order to it, it's steam is what it is.

MR. PETRO: Steam would dissipate before it got--

MR. CONKLIN: I think the steam dissipates within 30 feet at the most on a real cold day.

MR. VAN LEEUWEN: Not to start any problems, what about the Fisherman's Association, Hudson River Association, all these people, are they going to be looking at this, DEC have total control?

MR. LOEB: DEC has got all control of that aspect of it.

MR. VAN LEEUWEN: I'm not looking to start trouble, you cover yourself, we cover ourselves.

MR. LOEB: You'll hear from our landscape architect how he has identified visual enhancements on the site and I'll let him explain to you when he makes his presentation we may be the only area on River Road with industrial use and tanks that has taken that into consideration. There's no need or reason to have shiny tanks anymore certainly not for what we're doing so we've considered that we think that we're going to be virtually invisible from the river and we think we're going to be a pretty good neighbor. Remember, as you'll see on this site plan, the railroad crosses our property. We're on both sides of it, so that it's not as if we're operating in virgin, untouched territory. That railroad has been there and the tank farms including Shotmeyer have been there.

MR. CONKLIN: I'm going to take you through a quick run of how the plant works for one day's operation how it would work and then I'll turn it over to Greg. When a tank is dug and out of the ground and contamination is encountered, we notify DEC and a spill number is given out, classified as diesel fuel or gasoline. The soil is then stockpiled on site on plastic and covered with plastic. Test sample is taken of that soil. There's a window that you can thermally treat soil. It can't exceed so many parts per million of gas or of oil. It

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has to be within that window. If it exceeds that window, then an alternate method will have to be used. We're limited to the type of soils we can take in. We cannot take in any hazardous materials. All we're dealing with is your every day gasoline station oil, home heating oil.

MR. VAN LEEUWEN: Which pertains to your business.

MR. CONKLIN: Yes. Once that soil has been tested, and we find that it's within our tolerances, within that window, we can accept it, we'll receive a copy of that ' test. We'll then schedule the trucks to come in and we schedule the trucks to come in. It's not going to be one of these things that 20 trucks show up on site. They come in at the time we designate and who we designate because to bring the soil into that facility, they have to have a 364 Permit and our facility has to be labeled so the trucking is scheduled by us. Once the material arrives, one of our employees will take a grab sample out of the truck. And we can, there's a machine that fingerprints the soil to match, what they said it was, it's nothing any different, there's nothing that is not supposed to be in the soil. goes over the scale, it's weighed, it gets backed up on to the concrete pad and dumped. We process the soil by screening down to four inch minus, that material is stored in the rear tank, and then taken from that tank at another time and put through the treatment unit. The treatment unit then puts it right into the front tank which is finished product. We have to take every day's work and keep it in a separate pile inside of that tank until it's tested and once it comes out clean, we can then haul it away.

MR. PETRO: Who's doing the final testing?

MR. CONKLIN: Envirotest is doing our testing and it's, we've made arrangements that they'll come down every morning and take yesterday's sample and go ahead and do the testing.

MR. PETRO: They are doing it as representative for New York State DEC.

MR. CONKLIN: New York State DEC gets the report directly. We're paying them but New York State gets the reports directly. We get copied.

MR. VAN LEEUWEN: More complicated every day.

MR. CONKLIN: I guess that is pretty much it about the day-to-day and I'll turn it over to Greg Shaw.

Thank you. If I could refer the board to MR. SHAW: this first board which represents the site in its present condition. As mentioned by Jim Loeb, the property is located on the easterly side of River Road. It consists of 4.44 acres. The property is presently zoned Planned Industrial. While being taxed as one lot, the site consists of two parcels, separated from each other by the Consolidated Rail Corporation. parcel located on the east and within the limits of the The parcel Hudson River is approximately 2.5 acres. which will contain I.D.C. Soil Reclamation is on the west side of the Hudson River and totals approximately 2.5 acres. As you can see, the site presently has 2 access points onto River Road. Presently, on the site are 7 fuel tanks which are surrounded by a berm, a truck filling station and two buildings. Approximately one quarter of the site is presently paved. Of the structures, only 2 tanks along the northerly property line will remain after site demolition. Also a railroad siting is proposed to be removed while the oil separator tank is scheduled to remain. Now, if I can just refer the board to this board which indicates the proposed site conditions. The site improvements will consist of a vehicle scale, may be beneficial if I pointed them out. Vehicle scale in this location, a 12,900 square foot concrete mat for screening the soil, the soil remediation unit itself, 1,000 square feet of new offices, 13 parking spaces in these two areas and again the 2 storage tanks which are going to remain. One storage tank will be used for the screened and unprocessed soil and the second storage tank will contain the screen and processed soil. Material will be unloaded from the tanks by frontend loaders. access will be made by overhead doors that are elevated approximately 4 feet above grade. An eight foot high landscaped berm will be constructed along the easterly

property line to act as a visual buffer from the river. This buffer and other visual enhancements will be presented by the project landscape immediately following my presentation. In the lane of the site we were sensitive to our neighbors along River Road and with this, we have set back the scale and the buildings approximately 200 feet from River Road. The site will be serviced by the Town of New Windsor water system, a new one inch water service will be extended for the new offices, also water will be injected into the thermally treated soil for dust control. Based upon 16 hour per day operation, the water usage is estimated at 2,000 gallons per day, which is a negligible amount and is an equivalent to only 5 residential homes. The waste water discharge will be to the Town of New Windsor sanitary sewer system. The discharge will only be from the new offices. No discharge will be generated by soil reclamation process.

MR. PETRO: We have a disapproval of the municiple sewer and we need more info of quality and quantity of the waste water generated. You're only saying that it is going to be the office bathrooms, is that what was represented to John?

MR. EDSALL: Yeah, I think not to go through all my comments but just that one, as I note, I don't believe it's a problem. I think John Agio just didn't have all the information. I'm sure once Greg passes on the intended utilization on the site that is for an office use and not a commercial industrial waste discharge, I'm sure he will have no problem with it.

MR. SHAW: It comes down to a matter of timing. I think that comment was generated during our initial submittal which has been followed by the environmental assessment form which details the process very thoroughly. I just think he needs to take a look at the plan and to look at the submitted environmental assessment form and update his review. I think if you look at the date, it probably goes back three, four months.

MR. PETRO: 11/19/93.

MR. EDSALL: He did not receive a copy of the full EAF so he might not be aware of some of the information.

MR. SHAW: Correct.

MR. VAN LEEUWEN: Greg, the offices, are they going to be block construction or going to be trailers?

MR. SHAW: Ira, could you address that comment, the construction of the new offices, block?

MR. CONKLIN: Block.

MR. VAN LEEUWEN: Permanent type buildings?

MR. CONKLIN: Yes, originally that was an original plan and we've decided to go with a block and the choice is up to you.

MR. VAN LEEUWEN: No problem.

MR. SHAW: Continuing on, as I said, the waste water discharge will be discharged to the Town of New Windsor sanitary sewer system. The discharge will only be from the new offices and not generated by soil reclamation The discharge from the site will be by process. gravity to the existing 8 inch sanitary sewer main on The drainage patterns of the site today River Road. consist of an on-site storm water collection system which discharges to an oil water separator. Now, if I just may point out this component on the site and again this separator presently exists and will be utilized in our storm water management plan. After treatment in the separator, the storm water is conveyed to the existing drainage ditch which flows in an easterly direction along the northerly property line. crossing under the Con Rail right-of-way, the storm water is discharged into the Hudson River. drainage ditch also receives storm water generated by lands west of River Road. The post development drainage patterns will be very similar to the existing conditions. The site will be regraded to convey storm water to the catch basin of the oil water separator. Again, after treatment, it will be conveyed to the drainage ditch and then to the Hudson River.

exception to this pattern is storm water generated by new concrete mat. The storm water will be collected by a catch basin and discharged to an existing 4,000 gallon underground storage tank. This tank has no This tank capacity is equivalent to the storm water generated by the mat surface during a one half inch rainfall. A macadam berm will be passed along the perimeter of the mat to contain the storm water. Because the mat, storm water will contain petroleum hydrocarbons, a result of the storage of petroleum contaminated soil on the mat, the storm water will be pumped from the tank and treated in a carbon filtration' system located at the Stewart Avenue site of Ira D. And if I could just take one more Conklin and Sons. minute of the board's time to expand on what Ira said as to how this process will work. Probably try to be as simple as possible. The trucks will pull in more than likely from the south. At that point, they'll travel in this direction into a truck stacking area. We're showing 3 trucks on the board. There's enough room for 6 to 8 trucks, probably. One at a time, the trucks will pull in this fashion and back up on to the scale where the appropriate tests will be made. material will be dumped on to the concrete mat. soil preparation unit will separate the large stone from the material. And the material will be conveyed from the mat and placed in the easterly tank which is called unprocessed soil tank and the material will be At the appropriate time, a loader will stored there. again go back into the tank, take the material and place it into the reclamation unit where it will be thermally stripped. The material will then be moved into the westerly tank through a screw conveyor stockpiled in that tank also. And then finally, the material will be loaded from this tank, placed into a tractor trailer and as you can see, will be more than likely traveling in a southerly direction leaving the site.

MR. PETRO: Greg, why is the sill elevation ten feet, just to give you space inside the tank? The door on the big tank, why do you have it ten feet?

MR. VAN LEEUWEN: That is four feet.

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MR. SHAW: Very interesting question, very good question. Because we're close to the Hudson River because it's a tidal estuary and also because of the fact that sometimes we get noreasters where you have high tides and you have surges in water, we decided to be cautious and to have the entrance to the tank and a possibility of water going into the tank eliminated. By having the sill height four feet high, it gives us 4 more feet of vertical depth which would prohibit any high water from possibly coming into the site during a high tide during a noreaster.

MR. PETRO: Elevation is ten feet higher than the river is what that is.

MR. SHAW: Correct and it's approximately four feet above grade.

MR. VAN LEEUWEN: We've had some trouble in that area, flooding, you know.

MR. PETRO: Another question, you mention separating the big bolders and the rocks or something, what do you do with those?

MR. SHAW: Let me turn it over to the expert.

MR. CONKLIN: Those rocks don't, the rock doesn't soak up any oil or gas and they are going out. If we have, for instance, where there's dirt clinging to the rocks, we have a rotor screen that runs through a tank of water with bio-solve mixed in and the rocks are bbasically like washed and taken off-site.

MR. PETRO: Any other questions from the board?

MR. SHAW: Mr. Chairman, we have two more presenters, if I can.

MR. VAN LEEUWEN: How many people are you going to have working in the office to produce 2,000 gallons of raw sewage? That is a lot.

MR. SHAW: Majority of the water will be used for dust control. After the earth is thermally stripped, it's

also very dry so water will be injected into the material to keep the dust down. That is where the majority of the water will be used.

MR. VAN LEEUWEN: That water does not go into the sewer system?

MR. SHAW: No, that will be into the soil, which will be trucked out.

MR. VAN LEEUWEN: The question I asked you is from those offices, you are going to have 30, 40 people working there. If you are going to produce 2,000 gallons worth of the waste water a day.

MR. SHAW: We're going to be using 2,000 gallons gallons of water. We'll be discharging two or three hundred gallons a day.

MR. VAN LEEUWEN: That sounds better.

MR. PHILLIP GREALY: Phil Grealy, John Collins Engineers, we prepared the traffic and noise portions of the document that accompany the EAF. I'll start off with traffic conditions, first in terms of traffic on River Road. We conducted surveys of existing conditions during February of this year, also collected data from DOT, historical data in terms of volumes on River Road. In terms of peak hour traffic, on River Road, we have between 7 to in excess of 800 vehicles on River Road say in the morning peak hour and then again in the afternoon peak hour. That mix of traffic also includes significant number of trucks throughout the day due to the uses along River Road. In terms of this proposed use, our traffic study evaluated the effect of as many as 12 vehicles entering and exiting the site in each of those one hour periods so we did a conservative estimate of what conditions would be. In terms of not only looking at today but into the future, we projected the existing traffic volumes out to a year 2,000 so that we, you know, increased those traffic volumes by a growth factor of one percent to account for you know potential traffic increases on the corridor. evaluating the driveways and accesses onto River Road, we found that from a level of services standpoint which is the rating system that we have to, that even with 12 vehicles entering and exiting the site, we would maintain acceptable levels of services during those peak time periods. And in terms of the types of traffic since we do have significant truck traffic on the roadway, it would not be a significant change in terms of the character of the roadway. Tied into the traffic on the roadway, is the noise issue. primary noise source in the area is due to the traffic, the truck traffic, vehicular traffic, background noise levels along that section of roadway and as you would head further to the west, where you start getting into ' more residential areas, the peak hour noise levels range from the mid 50's up to the high 60's into the low 70's. Closer to the roadway, you're into a 70 decibel range measured on an A-weighted scale, an A-weighted scale is the scale that most closely resembles the human ear in terms of response. So along River road and again this site plan doesn't show it but the closest residential receptor is across the street near Silver Springs Road, it's a three story residence that would be the closest structure to this site. terms of the effect of this operation, the reclamation unit which consists of generators, burners, et cetera, we measured an operational unit at Conklin's facility to identify what the levels are that are generated by that unit. Those levels range from 70's up to as high as 90 D.B.A. Those levels are a combination of the burn unit and the generator.

MR. PETRO: Not the portable unit comparable to the one that is going to be installed?

MR. GREALY: Yes, correct. Those measurements were taken prior to the installation of a silencer on the generator units, which is one of the major noise sources which has brought those levels down. But our study is based on the conditions without that. Distance wise, this is about 300 feet from where the unit is placed to River Road. By the time you take into account the distance separation, the noise levels that would be at the property line here at River Road would be comparable to what the background levels are during the day. In terms of the placement of that unit or the siting of it, we also have some screening

factors that can come into play, the office buildings, the tanks themselves, and when we originally prepared our study, we were primarily looking at an operation that would be somewhere in the order of 12 to 16 hours a day. We get into that 16 hour range, we've made recommendations to consider the placement of a noise barrier in here such that at the times when the traffic on River Road drops off where the ambient levels drop off that would be utilized to ensure that the levels would be maintained off-site.

MR. PETRO: What are your times for operation proposed?

MR. CONKLIN: 16 hours a day.

MR. PETRO: Starting at 8 in the morning?

MR. CONKLIN: 6 in the morning.

MR. GREALY: So I would say that in terms of the placement of this barrier would be to take care of those time periods where in the town's noise ordinance for example is concerned with more sensitive times from say 7, after 7 p.m. to 7 a.m. in the morning so in those time periods, you know, where the traffic may be a lot lower not so much in the morning but let's say in the evening, 8 o'clock at night where traffic drops off that would be included to keep the noise levels down to be consistent with the background levels.

MR. PETRO: Is there a noise barrier on that plan cause I don't see it on ours?

MR. GREALY: Yes.

MR. KRIEGER: Should be on the final plan.

MR. PETRO: It should be in place after say 5 o'clock in the evening.

MR. GREALY: The original, just to go back, the reason when we first looked at our study and the time periods of the heavy traffic noise that wouldn't have been necessary if it was just in the time period we had traffic flows because the background noise levels they

overshadow the noise that would be generated by a unit. So this was added to count for those other time periods where the traffic does drop off. There are several possibilities. We've recommended a wooden type of barrier, similar to what you may see along the highways. There are other options.

MR. PETRO: It's got to be mobile.

MR. GREALY: Well in terms of not fully, okay, there's access around the back of the unit and some of these have removable panels so that for example the spacing on the support posts, maybe as much as ten the feet on center so you may have removable panels where a vehicle could get access in and out but it could be put back in place when the unit is running so that you get it has to be continuous so you don't get any seepage of the noise.

MR. PETRO: Did you just learn of this that is the reason it's not on the plans?

MR. SHAW: This was added within the last couple of days and the drawings have not been changed since the initial submission.

MR. CONKLIN: We have not fully designed it yet but we're going to be able to take our crane and lift it out, have a pipe station type of set up and going to be able to lift it out and move it off to the side. This as you know the machine has been portable so we'd want to still be able to hook up to the truck and to go to Westchester County Airport so we'll have to move it at that time and place it back when we're back in operation.

MR. GREALY: Just to add to my previous comments, the machine that we tested is the machine that is going to be here in operation. What I started to say was that the machine when we tested it did not have this added muffler silencer on the generator so the levels we had were higher than what they'll be because it's been added but the machine is what will be here is what we've tested with the barrier now because of the, I'll say extended hours of operation, even if those time

periods where the traffic noise or background noise is down, you know, lower, that with that barrier we'll then be able to maintain levels, you know, consistent with the code requirements at all times of the day.

MR. PETRO: I understand any other board members want to--

MR. LANDER: Yes on this burner unit here which end is the flame on that was a noise so that would be towards the river more.

MR. GREALY: I believe the way it's set up we have assumed that to be on the closest end.

MR. CONKLIN: The side that the air blower was on is facing the south. The silencer we put on is actually on the air intake, on the blower, if you remember the wand, there's a silencer on that and also material around inside the generator panel.

MR. PETRO: For the minutes, I want to have it noted that Mr. Lander was present at the testing of the burner unit on March 19th.

MR. LANDER: Mr. Edsall was there.

MR. EDSALL: For interest sake, what I will start passing around if the board members want to look at them during the remainder of the presentation some photos from that date to give you an idea of the piece of equipment. It was on March 19, I believe.

MR. PETRO: Thank you.

MR. LOEB: I'd like the landscape architect to finish up particularly when Hank asked the question about what will it look like from the river, what are we doing to enhance the site? We're going to make it better than it is and if you know it, it's bad.

MR. CARL MONTE: Carl Monte, I'm the landscape architect from the project, good evening everybody. I first want to just describe really how landscape architects, how we approach a project from a visual

aspect and how we approach any project. When we go out to a site, the first thing we try to do is as designers is keep in mind constantly that first impression you know when we get to a site. So my point is every time we go out there during the design process we always want to remember what does it look like when you first get there because as you keep on going and seeing things, you become accustomed to them. The first thing we did was a visual assessment of the site when I first got there, and I just want to describe briefly the first things that I noted about the site. As you drive up north, going north on River Road, as well as south, ? as well as from the river, as well as from across the street, the site is very visible. And it's very open, you see the asphalt immediately from all directions and you see existing all these existing rusted out white rusted ugly tanks.

MR. VAN LEEUWEN: Some people think they are beautiful, you know, not me but some people do think they are nice.

MR. PETRO: The people that build them.

MR. MONTE: They build them rusted. Anyway, the approach was to try to enhance visually from the viewer's perspective primarily from the outside of the site try to enhance it as much as feasible, what we have done is as you approach the site going north on River Road, the first thing that you notice is existing and in the future, you'd be able to see right in on an asphalt area so what we've done is done some screening and slight mounding over and away so as you approach north, this area will be blocked and more mitigated and the view to this area won't exist. There's existing planting over here which is screening this entire area as you go north. This area along River Road, what is missing right now is there's no definition or roadway corridor definition, there's no vertical along the Your eye, as you drive by, tends to just fleet out and go right into the site and that is existing all the way along that area. So what we've tried to do and what we've done is plant heavy trees along that heavy tree line to try to define that roadway edge so people will drive by keeping their eye

and help enhance River Road itself, as well as the view from the houses across the street. Coming from the north, we have the same situation. If you are able to view into the site easily here so what we've done is bump this out as much as possible to try to provide a buffer along here. From the river side, if you look at these sections, these sections really show it best is we show the elevations, and how were attempting to berm over here and this is an elevation looking this way right from the river of the mounding and you see how high we're mounding with that berm and we're using evergreen planting and some flowering trees and decorative ground covers.

MR. PETRO: What kind of trees in the front that will be on the River Road side that will deter some of the sound?

MR. MONTE: Here?

MR. PETRO: Yes.

MR. MONTE: Well, we're using deciduous trees here, heavy oak trees, street trees, chose not to use solid evergreens along here because of existing, there's an overhead wire right above very close right nearby and that was a concern so the type of tree we were going to use would be deciduous tree so it would be able to be pruned if necessary when it reaches the wire height plus the shape is conical, not conical, triangular.

MR. VAN LEEUWEN: The only thing is in the wintertime you won't have that in the summertime, you'll have that barrier but in the wintertime, you won't unless you don't think you need it.

MR. MONTE: Below that we have shrubbery.

MR. CONKLIN: You have shown that on the top right.

MR. MONTE: This view shows the elevations relative to River Road. From the river, as I was saying, we intend to paint the tanks like a pale ivy or muted green color on the top and then a darker color on the bottom just so they look like they are sitting on the ground a bit

but from the river you would see, you would almost see nothing is the intent, they'd blend right into the background of the hillside and there'd be the berm planting in front and the evergreen trees all along the river side with some flowering trees in the foreground.

MR. VAN LEEUWEN: How high are the trees going to be, the trees along the river? How high, two foot, three foot, four foot?

MR. MONTE: No, we've got probably, I don't recall but I would say that probably ten feet high trees plus the mounding and the berm which is at least it's like about eight feet on this side, we can even get it up higher. We got it up as high as possible plus we curved it around the curve corners as much as possible to try to curve it so that the view as you come down or as you go up the river, the whole thing is enclosed and they can't view in on the sides as opposed to doing a straight berm that looks like a wall. So it will have have character to it, go up and down and come high up on this side curve around. We're very close on the right-of-way on this side and that is why we can't get in large trees.

MR. PETRO: Any questions for the landscaper, gentlemen cause I do want to open it up to the public before we get too far along here? Thank you.

MR. MONTE: Thank you.

MR. PETRO: Any other discussion before I open it up to the public?

MR. VAN LEEUWEN: Answered all my questions.

MR. EDSALL: Just one question of Phil, what range of frequency is being generated from that piece of equipment generally when it's operating?

MR. GREALY: You're in the lower frequency bands, I think the majority of them are below 1,000 hertz, most of them in the lower frequency in the maybe 250 range.

MR. EDSALL: Given the ordinances restriction on the

allowable decibel noise levels that can be generated, there's some subtractions passed 7 p.m., have you evaluated whether those would comply?

MR. GREALY: That is one of the reasons why we looked at the barrier because in terms of the ordinance, okay, and what would be going off the property, you also have to consider what's on River Road. And in terms of once you get passed say 7 o'clock at night where the traffic really drops off, that is where it becomes more critical in terms of ordinance requirements and that was one of the reasons why this barrier was brought up ' because in those time periods up to say 7 o'clock at night, your background noise levels are higher than levels that the unit is going to be generating by the time you get to that. Once you get passed 7 at night where the traffic volume is dropped off significantly the background levels are lower and therefore the effect of you know even the low frequency noises which are in the code the lower frequencies has the higher The reason for that is because the reaction of the ear to that is less sensitive so the highest levels that this unit generates are in the lower frequency ranges.

MR. EDSALL: Are we as a supplement to your initial submittal for EAF going to receive an evaluation?

MR. GREALY: Effect of the barrier, yes, just one of the things we were trying to do because of equipment situations, was since these added features were put on the unit we wanted to do another set of readings to account for this silencer on the generator, et cetera. We can supply the board with additional information but in terms of what I have seen with respect to the code by adding this barrier, we'll then be below the requirements of the code, even those other hours after 7 at nighttime periods.

MR. EDSALL: When we do get that report, it should be tailored to react to compliance with the ordinance as well so that we can have that in the record.

MR. VAN LEEUWEN: But you have tractor trailers going through there all night and I bet you dollars to donuts

you won't have any other noise coming out by the bar on the hill when the trucks put the jack brakes on because they make one heck of a racket.

MR. EDSALL: I'm sure instantaneously but I'm concerned about a noise generator, just to document compliance and I'm sure that the noise barrier will provide that protection.

MR. PETRO: One other quick question. What's the burn unit, the fuel, what kind of fuel do you use?

MR. CONKLIN: It can use natural gas or propane or number 2 fuel. We're going to use number two fuel.

MR. PETRO: Any other questions from anyone? This is a public hearing and on the 11 day of April, 1994, 11 addressed envelopes went out to the list of people supplied by the Assessor's Office signed by Deborah Green, Notary Public, Town of New Windsor. Is there anyone here who'd like to speak on behalf of this application? If so, please come forward, state your name and address.

MRS. ARLENE LUCAS: I'm the three story residential house directly across the street. I do have a lot of questions. I'm not familiar with this. How can you be so sure it's going to be, the noise is going to be livable, I mean their windows are open from March until the end of October, it's a three story building. I have tenants on the top floor and they are going to hear it.

MR. PETRO: Do you want to address that?

MR. CONKLIN: I'm going to ask Phil that question.

MR. GREALY: In terms of the evening time period, that is one of the reasons why we have added this barrier, okay, the three story residence is on Silver Springs right across the street?

MRS. LUCAS: Yes.

MR. GREALY: We looked at it in terms of our study and

the reason for the barrier is for those time periods once traffic drops down to be in compliance with the code. In terms of operation, when they are open and operating, they still have to comply with the code so if I am wrong.

MRS. LUCAS: That is understandable, that I understand, but I was just concerned with them having their windows open and having all this noise come in.

MR. GREALY: Our evaluation is based on the fact that that is with what occurs, open windows we're not talking about interior noise levels with windows closed where you get the additional attenuation, our design is to account for someone sitting right outside the front of your building, let's say at the building line. But at that elevation and the reason for the barrier is to cut off the line of site from the unit to where the third story let's say window would be.

MRS. LUCAS: Why can't you cut back your hours?

MR. GREALY: Well, if we didn't put the barrier in, then we wouldn't, we could operate in other hours but the reason for the barrier is to make sure that there would be no problem even in hours after 7 o'clock in the evening.

MRS. LUCAS: Is there a reason for the long period of operation?

MR. GREALY: I guess just in terms of being able to process the materials as they come in and to be able to handle the production that is necessary.

MR. PETRO: Supply and demand answer but I would also say that it's going to be my opinion that it is going to be a condition of approval of this Planning Board that any operation after 7 o'clock at night is going to have to meet the code compliance here and also going to be a condition of the Planning Board for approval that the barrier be put in place or they will not be able to operate.

MRS. LUCAS: What are the findings as far as air

pollution, are you basing that on the portable machine that you have with the small volume of work that you are doing now?

MR. CONKLIN: The volume of work is at 20 tons an hour is the same whether it's on our site or somebody else's and we're basing it on what we're doing now. In addition to that, the DEC will come in and do their monthly audit of our operations and our testing protocol and the officer stops in and they take any readings to make sure that everything is within compliance and that is as part of our permit that they'll be able to come on our property at any time of the day.

MRS. LUCAS: Where does it go? It has to go somewhere when you're cooking your soil in massive quantities like it sounds like you're going to be doing, where is it going?

MR. CONKLIN: Larry, I'm going to ask you to answer that question. Larry is the manufacturer.

MR. LARRY WOODS: You're concerned about the petroleum itself?

MRS. LUCAS: The smell.

MR. WOODS: The smell will be controlled because it's inherently controlled in the machine because the machine is at negative pressure so nothing emits from the machine, any leakage goes into the machine from a blower and you do that so you can control the contaminants and the dust all the way through the process so that there's no leakage, no odor whatsoever absolutely from the machine. Now the by-products of the machine are going to be soil being discharged which will rehydrate to control dust so you have got control of the dry dirt which would be a dust condition and then the by-products of complete combustion which would be CO2 and water which is the, and that is the modeling that they are operating under New York DEC and they have some of the more stringent regulations in the country so a by-product you'll not have an odor, you'll not have visible anything from the stack itself.

MRS. LUCAS: Even when the soil comes out there's no order from that soil whatsoever?

MR. WOODS: No, you may want to check that treated soil.

MRS. LUCAS: Now when you do this and you do your soil process, the soil, where does go after it goes on to the pad and cools off?

MR. CONKLIN: It will go, after the material is processed, it will go directly into the finished tank, the front tank.

MRS. LUCAS: Does anybody ever remove it or do you just keep it?

MR. CONKLIN: Oh, no, it has to be removed but it can't be removed until Envirotest gets the results back and the material is in fact cleaned and then at that time, it can be used as New York State DEC approved fill, it won't grow grass, won't go for a homeowner but it would go for roadside bedding.

MRS. LUCAS: Thank you.

MR. CONKLIN: One other thing I'd like to add again we have been on Union Avenue and Stewart Avenue in the Town of Newburgh for my grandfather who started there and we've got a lot of neighbors and we've always worked with all of our neighbors.

MRS. LUCAS: You'll do that at that--

MR. CONKLIN: We fully intend to be a good neighbor and to help out with whatever we can in the neighborhood, not only for yourself but any of the other neighbors and I think we will treat you right. I've had a lot of studies done, paid a lot of people a lot of money to get it done and we don't want any noise emitting off the property. And I think we've got it down to that you probably won't know we're there once these trees get up and I really don't think that you are going to see much of it. You'll see more of a difference than

no trucks going in there in the past but it's going to look great when we're done. We are going to put a lot of money in the landscaping, it will almost look like a park from the outside.

MRS. LUCAS: There will be no seepage into the Hudson?

MR. CONKLIN: No. We have a SPDES permit and that is monitored by the DEC and I think there is, even though my business is with the oil companies, I think there's a lot more chance of an environmental danger with four or five million gallons of product sitting in the coastal tanks than there is from maybe 400 gallons of gas or diesel in this dirt that is mixed in that is inside of a tank. I just don't even think that there's a comparison as far as the dangers of the volatility on what's going on.

MRS. LUCAS: You run this machine at your place on Stewart Avenue?

MR. CONKLIN: No. Right now, we're working in Vails Gate. As a matter of fact now and we're about 25 feet from the window of somebody's house in Forge Hill Apartments and they are kind of sitting in the window watching what's going on. They haven't really had any problems with what's going on, other than watching us and we've worked in Poughkeepsie and the Town of Clarkstown and we're going to Maybrook after this and then down to Westchester County Airport after this.

MRS. LUCAS: The unit you're going to put on the river that is a portable unit?

MR. CONKLIN: Yes.

MRS. LUCAS: It's been there already?

MR. CONKLIN: Yes, it has. That is where Phil did his noise evaluation on the property so we'd get a true and accurate reading because I don't want to have a problem.

MR. EWASUTYN: You may want to look at these photographs. In essence, the unit isn't as big as

people think it is. It actually is no different than the tractor trailer. The height you can see being about approximately no more than 18 feet high but that was taken out at the site and that will give you an idea.

MR. MICHAEL LUCAS: On the north?

MR. CONKLIN: On the north side, those two tanks.

MR. LUCAS: I co-own the two pieces of property right across the street, my wife and I really haven't had a chance but I'm in favor of it.

MR. VAN LEEUWEN: Is that the shop where somebody lives in now?

MR. LUCAS: They moved out and I bet you're wondering why they moved out too?

MR. PETRO: Do you have any other questions cause I want to move it along, Mike.

MR. LUCAS: No. In fact, I myself know Ira personally and I know that he, everything they've done is a class act and I'm glad that this organization here is taking over that property. It's been abandoned for so long. My only concerns which were answered was the smell, and the noise, appearance, I think everything is a plus here. I'm happy with the situation.

NMR. PETRO: Very good.

MR. LANDER: Mrs. Lucas touched on, it's not so much the smell from the process when you are burning this, we're going to have a pile sitting out on this concrete pad.

MR. CONKLIN: Whatever is dumped on the pad will be off of the pad within a couple hours. Nothing will be left on the pad overnight or for an extended period of time. As soon as it's dumped, in theory, perfect world, within 20 minutes, it will be processed and into the tank. If the machine breaks, it might be three or four hours but not overnight.

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MR. LUCAS: What's the fuel?

MR. CONKLIN: Number 2.

MR. PETRO: What about rain weather or snow weather, would you still be dumping on the pad?

MR. CONKLIN: No. It's like a ball game, if it's raining, we don't play.

MR. PETRO: Any other people here that wish to ask any questions of this applicant, being that it as public hearing?

MR. VAN LEEUWEN: I make a motion to close the public hearing.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing on Ira D. Conklin site plan on River Road. Any further discussion from the board members? If not, roll call.

ROLL CALL

MR. VAN LEEUWEN AYE MR. LANDER AYE MR. PETRO AYE

MR. PETRO: I'll reopen the discussion to the board and I know that Andy you have a question on the machine.

MR. KRIEGER: Just see if I understand this correctly. When you apply heat to the soil, the heat causes the petroleum by-product to break down into two different chemical components, one water and one air. Is that correct? Is that what happens to the petroleum?

MR. WOODS: There's two different processes. And you probably need to keep the different idea in your mind. In the rotary kiln, you're driving the hydrycarbons from the soil and turning it into a vapor. Now you take the vapor along with the dust, take it through the

bag house and remove the dust. Then it goes to the afterburner, where it's predisposed, it's refined to combust and so it goes over at 350 degrees and it readily combusts, so the by-product that I was referring to is coming out of the afterburner, which is what really is controlling and destroying the hydrycarbons what you were referring to was happening in the rotary kiln.

MR. KRIEGER: In the first stage, you turn these liquid or solid hydrycarbons into a gas and then second stage you burn the gas off?

MR. WOODS: Correct.

MR. KRIEGER: Similar fashion the way they burn gas off in the giant Bunsen burners they do the oil tanks.

MR. WOODS: A little bit different. Again, it's two processes, they don't vaporize it before they incinerate it. They go straight to the incineration, revaporize it, we remove it from the soil. The only reason you're doing that is so you don't change the physical characteristics of the soil so you are not changing the physical characteristics of the soil. You're removing the hydrocarbons and using heat to do that and then once it's removed, you are controlling it and taking it over and incinerating it. That is where you get your by-product.

MR. KRIEGER: I didn't mean to equate the two processes, just meant to draw a similarity to burning off the gas.

MR. PETRO: Do you have any other questions?

MR. VAN LEEUWEN: No.

MR. LANDER: Phil, when you took your readings on the noise level, the machine was closer to the road, wasn't it?

MR. GREALY: The readings that we had were also up at Ira's yard, we took readings in a radial fashion around the unit ranging from 10 to 15 feet away from the unit.

So our readings are very close to where you would be you if you were at the site looking at it and visually observing the operation. It would be in the range that being pretty close to the unit.

MR. LANDER: This unit is going to be off the road quite a distance?

MR. GREALY: Yes, that is correct.

MR. LANDER: All right, cause I know I was at the test burn, it was closer to the road than it is on this print.

MR. GREALY: Approximately, 250.

MR. PETRO: Mark, Mr. Loeb insinuated that the DEC is waiting for us to make a negative dec on this site before they evidently move any further, am I saying that correctly?

MR. LOEB: That is our understanding. They wanted to know that the site plan is going to be approved for this location, a permanent location.

MR. VAN LEEUWEN: We have to take some kind of declaration before we can give it site plan approval, not site plan approval, okay?

MR. LOEB: That is why we have submitted that long EAF and that is why--

MR. EDSALL: Obviously, we asked that the applicant complete more than a short EAF. In fact, they completed a full EAF and attached lengthy supplements to provide us with additional information. We as lead agency or the intended lead agency circulated a notice of intent to assume lead agency and attached to same, attached to that full EAF and a copy at least of the layout plan for the project. At this point, I believe the time has expired for any other involved agency to indicate their intent to complete for lead agency. So it's my understanding at this point we're lead agency. I believe this board through the public hearing and through your other reviews and the field review that

Ron and I attended have evaluated the process, the equipment that is involved, the applicant has gone through several impacts, traffic, noise, visual, any discharges from the site and I believe they've provided you with enough information that you could act at this time. I believe you have heard enough and you have no additional questions to issue a negative declaration. Obviously, we all understand there are other permits involved, those agencies, I believe, it's just DEC involved, those agencies would issue their own permits but I believe it's appropriate that you move forward on a SEQRA. And as far as your action as lead agency for site plan reviewing all the information that has been presented, I believe you can issue a neg dec.

MR. PETRO: Instead of taking it by default, would you like to see it to have another roll call for lead agency?

MR. EDSALL: You issued authorization to me to indicate your intent to assume and in fact once the time expired you do assume lead agency so you are based on your previous circulated letter to intending to assume it you now have assumed that position.

MR. LANDER: I have no problem with the DEC going to monitor this situation, all right, testing is ongoing, they've already given their blessing to do it all around New York State and as long as they can stay within the noise levels and the pollution, I don't see a problem with it.

MR. VAN LEEUWEN: The only problem we have here is that there's no permit from the sewer, Town sewer people.

MR. PETRO: That was I think they were under a misunderstanding.

MR. VAN LEEUWEN: That is possible but if we're going to do anything, we have to make it subject to.

MR. EDSALL: Based on the information they have presented to you and I have reviewed, it's clear that the waste discharge relative to the Town sanitary sewer system is not of an industrial nature. My only, the

only comment that was brought up tonight which I believe you should close a discussion on is the concern relative to noise and hours of operation, just acknowledge the hours.

MR. PETRO: I'm going to talk about that right now. I'd like to do the negative dec.

MR. VAN LEEUWEN: So moved.

MR. LANDER: Second it.

MR. PETRO: Motion has been made and second that the New Windsor Planning Board declare negative dec on the Ira D. Conklin site plan on River Road.

## ROLL CALL

MR. VAN LEEUWEN AYE MR. LANDER AYE MR. PETRO AYE

MR. PETRO: As far as the sewer problem, I think we can get that straightened out with a note from John at the Sewer Department. Again, as I stated before, he was under the misunderstanding that there was going to be other sewage coming from maybe some soil or something but it's just basically commercial building and it has bathrooms. As far as the time of operation, Mr. Conklin has indicated he wants 16 hours a day. 6 o'clock in the morning doesn't pose a problem but after 7 o'clock it might pose a problem. And I think that Phil should also get to Mark that information he requested about the addition for the EAF on the noise after 7 o'clock and also would like to see on the plan if the other members agree with me, I know it's on that plan there but we should have something on here to show the barrier and it should be a note that it would be in place after 7 o'clock at all times of operation. than that, I don't have anything else to say.

MR. VAN LEEUWEN: I don't see where the noise is going to be too much of a problem cause I tell you, there's trucks going up and down all hours of the night. There's fuel trucks going up and down that road all

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hours of the night, tractor trailers.

MR. LUCAS: It's not Texaco but they road up to 11 o'clock at night across the street, that operation's almost 17 hours that I know of.

MR. VAN LEEUWEN: Most of them go round the clock, don't they?

MR. PETRO: Mr. Conklin, or Greg no problem with putting on the plan that the, show the barrier on the approved plans you're going to use the barrier?

MR. CONKLIN: Yes.

MR. PETRO: Note on the plan to that effect should not be a problem.

MR. SHAW: No, we'll show the barrier on the final drawings with the appropriate notes.

MR. EDSALL: Earlier in the comments, you indicated that it should be in place any time it's operated after 7. You're better off saying it's in place whenever it's operating.

MR. CONKLIN: When the unit's on site, the barrier will be in place. If we move it off, it will be laying down.

MR. EDSALL: That is easier for enforcement. If the unit is in place in operation, that the barrier will be there.

MR. CONKLIN: Yes.

MR. PETRO: Just number 3, Mark, just touch on that real quick, the soil, sediment control necessary measures, they did a very detailed presentation. I have enough information. Do you need anything else?

MR. EDSALL: Did you intend at all as part of your earth moving operation to prepare a plan just with some soil erosion protection?



RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E. JAMES M. FARR, P.E. ☐ Main Office 45 Quassaick Ave. (Route 9W) New Windsor, New York 12553 (914) 562-8640

☐ Branch Office 400 Broad Street Milford, Pennsylvania 18337 (717) 296-2765

TOWN OF NEW WINDSOR PLANNING BOARD REVIEW COMMENTS

PROJECT NAME:
PROJECT LOCATION:

IRA D. CONKLIN SITE PLAN RIVER ROAD (EAST SIDE) SECTION 9-BLOCK 1-LOT 98

PROJECT NUMBER:

93-37

DATE:

8 DECEMBER 1993

DESCRIPTION:

THE APPLICATION INVOLVES A CHANGE IN USE FOR THE EXISTING BULK FUEL STORAGE SITE TO DEVELOP A SOIL

RECLAMATION FACILITY. THE APPLICATION WAS

REVIEWED ON A CONCEPT BASIS ONLY.

- 1. The application indicates the proposed use under classification A-15 of the PI Zoning Bulk Regulations. I believe this is the appropriate selection; the Board may wish to confirm same at this initial appearance. Based on this use classification, the plan appears to comply with all minimum bulk requirements for the zone and use classification.
- 2. At this initial Planning Board appearance, the Board should review the operational description of the facility and discuss, with the Applicant, the concept layout. Further review should be given to the potential Environmental Impacts, identifying areas of concern which the Applicant could provide further supporting information, such that the Board can proceed with a SEQRA review.

Relative to SEQRA it is my recommendation that the Board request a Full Environmental Assessment Form, rather than just the short form submitted to date. General areas of concern should include air discharge, visual impacts, proposed days and hours of operation, stormwater collection and discharge and potential contamination, any existing soil contamination or environmental concerns which may already exist, potential traffic impacts, potential noise impacts, identification of any discharge to Town sanitary collection system, identification of potential municipal water usage, and fire protection/safety related items. All these can be addressed in the Full Environmental Assessment Form and a narrative attached to same.

## TOWN OF NEW WINDSOR PLANNING BOARD REVIEW COMMENTS

-2-

PROJECT NAME:
PROJECT LOCATION:

IRA D. CONKLIN SITE PLAN RIVER ROAD (EAST SIDE)

SECTION 9-BLOCK 1-LOT 98

PROJECT NUMBER:

93-37

DATE:

8 DECEMBER 1993

- 3. The Board should note that the application plans also include a landscaping plan which provides for a significant effort to mitigate potential visual effects and, as well, potentially improve the existing aesthetics of the property. I recommend that the Board review this drawing of the application package and provide any recommendations or comments regarding same.
- 4. Subsequent plans should include a soil erosion and sediment control plan and program and, as well, it should be confirmed whether this project is subsequent to the Federal Stormwater Management Regulations being implemented by the New York State Department of Environmental Conservation.
- 5. Once the Applicant has completed their presentation for this project, the Board has had an opportunity to complete their concept review of same and the Applicant completes the SEQRA application through the submission of the additional information noted above (and as may be requested by the Planning Board), further technical reviews of the plan can be made and comments provided as appropriate.

Respect tulty submitted,

Mark J. Edsall, P.E. Planning Board Engineer

MJEmk-

A: CONKLIN.mk

## RESULTS OF P.B. MEETING

DATE: <u>Secember</u> 8, 1993

PROJECT NAME: <u>Ora D. Conklin</u> 5.P.	PROJECT NUMBER 93-37
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LEAD AGENCY: *	NEGATIVE DEC:
M) V S) VOTE: A H N O *	M)S)VOTE:AN
CARRIED: YESNO*	CARRIED: YES:NO
* * * * * * * * * * * * * * * * * * *	* * * * * * * * * * * * * * * * * * *
WAIVED: YES	NO
SEND TO @R. CO. PLANNING: M)S) V	/OTE: A N YES NO
SEND TO DEPT. OF TRANSPORT: M)S)_	VOTE: A N YES NO
DISAPP: REFER TO Z.B.A.: M)S) VO	OTE:ANYESNO
RETURN TO WORK SHOP: YES NO	D
APPROVAL:	
M)_S)_ VOTE:AN_ APPROV	ED:
M)S) VOTE:AN APPR. 0	CONDITIONALLY:
NEED NEW PLANS: YES NO	
DISCUSSION/APPROVAL CONDITIONS:	
Mad full EAF	

# Drake, Sommers, Loeb, Tarshis & Catania, P.C.

ATTORNEYS & COUNSELLORS AT LAW

BERNARD J. SOMMERS JAMES R. LOEB RICHARD J. DRAKE STEVEN L. TARSHIS JOSEPH A CATANIA, JR RICHARD F. LIBERTH WALLACE H. MAHAN III (1959-1991) GLEN L. HELLER

ONE CORWIN COURT
POST OFFICE BOX 1479
NEWBURGH, NEW YORK 12550
(914) 565-1100
FAX (914) 565-1999

MONROE OFFICE 107 STAGE ROAD MONROE, NEW YORK 10950 (914) 783-2600 FAX (914) 782-6854 TODD A KELSON
RICHARD M MAHON, II NY 8 D C BARS)
STEPHEN J GABA
FLLEN VILLAMIL
ADAM L RODD N.Y 8 CT BARS)
KEVIN T DOWD
STEVEN I MILLIGRAM (N Y 8 N J BARS)
KAREN COLLINS (N Y 8 D C BARS)
SHARON C FLETCHER
MICHELE E REED
JONATHAN A BATH (N Y 8 N J BARS)

WRITER'S DIRECT NO. (914) 569- **4327** 

October 14, 1993

New Windsor Planning Board 555 Union Avenue New Windsor, New York 12553

Dear Board Members:

RE: Our File No. 5906.39,995

I am writing to you on behalf of Ira D. Conklin & Sons in connection with an application which is before you for approval of a soil reclamation project on River Road in the Town of New Windsor. The project involves approvals from the Department of Environmental Conservation as well as the Town of New Windsor. The DEC is processing our application for a clean air permit and a solid waste permit. As part of the DEC's review procedure, they require a hands on demonstration of the process of soil reclamation proposed by the applicant. The DEC will require us to fire up the soil reclamation equipment on site and actually demonstrate the equipment in operation

This letter is written to advise you of the DEC's requirements and to request that the Planning Board consent to this on site test procedure because without it the process of securing the permits from the DEC cannot proceed. Our best estimate is that the DEC will wish us to conduct our test some time in November, probably during the last half of the month. We should receive at least ten days notice of the test date and assuming that you have no objections to the test proceeding, I will immediately notify you so that Planning Board members, your consultants and other interested town officials can attend the test as well.

I would appreciate hearing from you at your earliest convenience so that I may confirm to the DEC that the Town of New Windsor is aware of the projected testing and has no objection to it taking place.

JRL/lp/52264

cc: Ira D. Conklin, III
Mark Edsall, P.E.

P.B. # 93-37 Escrow  S61-15/2  IRA D. CONKLIN & SONS, INC. P.O. BOX 7457 92-94 STEWART AVENUE NEWBURGH, N.Y. 12550-3005	THE BANKOF NEW 280 broadway YORK NEWBURGH, NEW YORK 12550	50-244/219 <b>CHECK NO.</b> 27680
Leven Hundred Foll & Hole PAY TO THE ORDER OF Town OF New Wo	100 — CHECK DATE 11/15/93	* 750.00
#* 27680#* #*027		
P.B.#93-37 Application fee  S61-1512 IRA D. CONKLIN & SONS, INC. P.O. BOX 7457 92-94 STEWART AVENUE NEWBURGH, N.Y. 12550-3005	THE BANKOF NEW YORK 12550	50-244/219 CHECK NO. 27679
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555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

# NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WA	TER, SEWER, HIGHWAY
PLEASE RETURN COMPLETED FORM TO	:
MYRA MASON, SECRETARY FOR THE P	LANNING BOARD
PLANNING BOARD FILE NUMBER:  DATE PLAN RECEIVED:  Per P.B. me	wed by John Egitlo as sting of 4/27/94 For
The maps and plans for the Site	Approval
Subdivision_	as submitted by
	building or subdivision of SCLAMATION has been
reviewed by me and is approved_	
disapproved	•
If disapproved, please lis	t reason
***************************************	·
	HIGHWAY SUPERINTENDENT DATE
	WATER SUPERINTENDENT DATE
	SANITARY SUPERINTENDENT DATE



# STATE OF NEW YORK DEPARTMENT OF TRANSPORTATION 4 BURNETT BOULEVARD POUGHKEEPSIE, N.Y. 12603

ALBERT J. BAUMAN REGIONAL DIRECTOR JOHN C. EGAN COMMISSIONER

March 30, 1994

Mark J. Edsall, P.E.
Planning Board Engineer
Town Of New Windsor Planning Board
555 Union Avenue
New Windsor
New York 12553

Re: State Environmental Quality Review Ira D. Conklin Soil Reclamation Town Of New Windsor, Orange County

Dear Mr. Edsall:

We have completed our review of the above referenced document in connection with the lead agency designation and the traffic related impacts posed by the proposed Soil Reclamation facility.

We have no objection to the Town of New Windsor Planning Board being the lead agency for this proposal. However, we would like to inform you that a state highway work permit will be required for any curb cuts and/or work within the River Road right-of-way.

Our review of the traffic impact study have indicated that the methodology utilized in the traffic analysis, including the existing traffic volumes, background growth rate, trip generation and the design year traffic volumes is reasonable.

For highway work permit review process, an application and final site plans should be forwarded to this department's local maintenance residency office.

If we can be of further assistance, please feel free to contact this office at (914) 431-7905.

Very truly yours,

Wai K. Cheung Civil Engineer II

Ву:

Akhter A. Shareef Civil Engineer I





555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

## NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER,	SEWER, HIGHWAY
PLEASE RETURN COMPLETED FORM TO:	
MYRA MASON, SECRETARY FOR THE PLANN	NG BOARD
planning board file number:	3 = 37
DATE PLAN RECEIVED: NOV 1	7 1993
The maps and plans for the Site App:	oval DDC. Soil Peclanation
Subdivision	as submitted by
Shaw Engr for the buil	
<i>V</i>	has been
reviewed by me and is approved	<u> </u>
disapproved	·
If disapproved, please list re	•
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HIG	HWAY SUPERINTENDENT DATE
WAT	ER SUPERINTENDENT DATE
SAN	ITARY SUPERINTENDENT DATE

#### INTER OFFICE CORRESPONDENCE

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: 22 November 1993

SUBJECT: I.D.C. Soil Reclamation

PLANNING BOARD REFERENCE NUMBER: PB-93-37

DATED: 17 November 1993

FIRE PREVENTION REFERENCE NUMBER: FPS-93-068

A review of the above referenced subject site plan was conducted on  $22\ \text{November}\ 1993$  .

This site plan is acceptable.

PLANS DATED: 1 November 1993

Robert F. Rodgers; CCA

Fire Inspector

RFR:mr Att.



# McGOEY, HAUSER and EDSALL CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E. WILLIAM J. HAUSER, P.E. MARK J. EDSALL, P.E.

. . .

ב כ	Main Office
	45 Quassaick Ave. (Route 9W)
•	New Windsor, New York 1255
•	(914) 562-8640

DSALL

Branch Office

400 Broad Street

Milford, Pennsylvania 18337

(717) 296-2765

#### PLANNING BOARD WORK SESSION RECORD OF APPEARANCE

	TOWN VILLAGE OF New WINSON P/B \$ 3 - 3 7
	WORK SESSION DATE: 6 OCT 93 APPLICANT RESUB. REQUIRED: # 10 A
	REAPPEARANCE AT W/S REQUESTED: No.
	PROJECT NAME: Tra Contin
	PROJECT STATUS: NEW OLD
	REPRESENTATIVE PRESENT: John E
	MUNIC REPS PRESENT: BLDG INSP. Cove1  FIRE INSP. Bob R.  ENGINEER X  PLANNER  P/B CHMN.  OTHER (Specify)
	ITEMS TO BE ADDRESSED ON RESUBMITTAL:
	RIVER RD.
PhII	- 36 high stricture - shell ynembrane
'	now Y' hich walls- come stab
	really don't want structure PEZ may require.
	- get Fill EAF visual
	traffic
	4MJE91 pbwsform





555 UNION AVENUE NEW WINDSOR, NEW YORK 12553

# NEW WINDSOR PLANNING BOARD REVIEW FORM

	•
TO: FIRE INSPECTOR, D.O.T., WATE	ER, SEWER, HIGHWAY
PLEASE RETURN COMPLETED FORM TO:	
MYRA MASON, SECRETARY FOR THE PLA	ANNING BOARD
PLANNING BOARD FILE NUMBER:	93-37
DATE PLAN RECEIVED:	NOV 1 7 1093
·	
The maps and plans for the Site	Approval
Subdivision	as submitted by
for the	building or subdivision of
I.O.C. SOIL RECLA	marioN has been
reviewed by me and is approved	,
disapproved	•
If disapproved, please list	reason
NEED MORE INFO. ON G	WALITY & QUANTITY OF
NEED MORE INFO. ON & WASTEWATER TO BE GENERI	ATED ON SITE.
<b>4</b>	,
	:
	HIGHWAY SUPERINTENDENT DATE
	WATER SUPERINTENDENT DATE
	SANITARY SUPERINTENDENT DATE

Planning Board Town of New Windsor 555 Union Avenue New Windsor, NY 12553 (This is a two-sided form)

# APPLICATION FOR SITE PLAN, SUBDIVISION PLAN, OR LOT LINE CHANGE APPROVAL

1.	Name of Project New Facility for I.D.C. Soil Reclamation
2.	Name of Applicant Conklin & Sons, Inc. Phone 561-1512
	Address 92-94 Stewart Avenue, Newburgh, N.Y. 12550
	(Street No. & Name) (Post Office) (State) (Zip)
3.	Owner of RecordCanada Oil Corp. Phone
	Address 1 Valley Street, Hawthorne, N.J. 07506
	(Street No. & Name) (Post Office) (State) (Zip)
4.	Person Preparing Plan Gregory J. Shaw, Phone 561-3695
	Address 744 Broadway, Newburgh, N.Y. 12550
	Address 744 Broadway, Newburgh, N.Y. 12550  (Street No. & Name) (Post Office) (State) (Zip)
5.	Attorney James R. Loeb Phone 565-1100
	Address One Corwin Court, Newburgh, N.Y. 12550
	(Street No. & Name) (Post Office) (State) (Zip)
6.	Person to be notified to represent applicant at Planning Board Meeting Gregory J. Shaw, P.E. Phone 561-3695
	(Name)
7.	Location: On the east side of River Road
	(Street)  O feet opposite of Silver Spring Road
	0 feet opposite of Silver Spring Road (Direction) (Street)
8.	Acreage of Parcel 4.44 9. Zone PI , 9A.School Dist Newburgh
	9B. If this property is within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District, please complete the attached Agricultural Data Statement.
10.	Tax Map Designation: Section 9 Block 1 Lot 98
11.	This application is for Soil Reclamation Facility
- <b>-</b> •	

12. Has the Zoning Board of Appeals granted any variance or a Special Permit concerning this property? No
If so, list Case No. and Name
13. List all contiguous holdings in the same ownership N/A Section Block Lot(s)
Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the liber and page of each conveyance into the present owner as recorded in the Orange County Clerk's Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property and the date the contract of sale was executed.
IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers and stockholders of each corporation owning more that five percent (5%) of any class of stock must be attached.
OWNER'S ENDORSEMENT (Completion required ONLY if applicable)
SS.: STATE OF NEW YORK   The former being duly sworn, deposes and says that he resides at   Yellen Street   fawthere in the County of gassau and State of New Jersey and that he is (the owner in fee) of Vine Greatfast (Official Title)
of the Corporation which is the Owner in fee of the premises described in the foregoing application and that he has authorized Gregory J. Shaw & James R. Loeb to make the foregoing application as described herein.
I HEREBY DEPOSE AND SAY THAT ALL THE ABOVE STATEMENTS AND INFORMATION, AND ALL STATEMENTS AND INFORMATION CONTAINED IN THE SUPPORTING DOCUMENTS AND DRAWINGS ATTACHED HERETO ARE TRUE.
Sworn before me this    Minum T Andman   Winger's Signature)
day of Noviem Bie 1993 (Applicant's Signature)
Loopen F Lower K. Trensmer
Notary Public (Title)  Social of Grant Cond y  Rescricted Mo. 1:4:32:5  Commission Express Jan. 51, 1794

14-16-4 (2/87)—Text 12	
PROJECT I.D. NUMBER	

617.21

FOV : 7 1993

**SEQR** 

## Appendix C

## State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

Att 1—1 House Het Ottimation (10 be completed by App	
1. APPLICANT /SPONSOR Ira D. Conklin & Sons, Inc.	2. PROJECT NAME New Facility for I.D.C. Soil Reclamation
	1.D.C. SOII RECIAMACION
3. PROJECT LOCATION:	County One serve
Municipality Town of New Windsor	County Orange
4. PRECISE LOCATION (Street address and road intersections, prominent	andmarks, etc., or provide map)
East side of River Road immediately	opposite of Silver Spring Road
5. IS PROPOSED ACTION:  New Expansion Modification/alteration	: 
6. DESCRIBE PROJECT BRIEFLY:	
Reclamation of soil by incineration	1
7. AMOUNT OF LAND AFFECTED: Initially 2.47 acres Ultimately 2.47	acres
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHE	
☐ Yes ☐ No If No, describe briefly	THE PROPERTY OF THE PROPERTY O
Ed res Ed No II No, describe bliefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?  ☐ Residential ☐ Industrial ☐ Commercial ☐ Ag  Describe:	priculture Park/Forest/Open space Other
40 DOES ACTION INVOLVE A DEDMIT APPROVAL OR FUNDING NOW	OR HITMATELY FROM ANY OTHER COVERNMENTAL ACENCY (ECREPA)
STATE OR LOCAL)?	OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL,
Yes No if yes, list agency(s) and permit/approva	Is
NYSDEC Solid Waste Management	
NYSDEC Air Discharge Permit	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID	DEDINIT OD ADDDOVAL 2
LI Yes XI No If yes, list agency name and permit/approval	·
	·
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPR	OVAL REQUIRE MODIFICATION?
☐Yes ☐No N/A	ı
I CERTIFY THAT THE INFORMATION PROVIDED	ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE
Applicant/sponsor name; Ira D. Conklin & Son	s Inc Nov. 1 1000
Applicant/sponsor name: 11 d D. COIIXIII & SOII	s, Inc. Date Nov. 1,1993
Signature: Jugaren Star Inc.	weer for Applicant
Leave the state of	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment



	, 1.0-1.7,
A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12  Yes X No	2? If yes, coordinate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLIST may be superseded by another involved agency.	TED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration
□ Yes □ No	1
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH T C1. Existing air quality, surface or groundwater quality or quantity, nois potential for erosion, drainage or flooding problems? Explain briefly:	
Yes	
	Itural resources; or community or neighborhood character? Explain briefly:
Yes	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant hab	oltats, or threatened or endangered species? Explain briefly:
No	
	e in use or intensity of use of land or other natural resources? Explain briefly.
No	
C5. Growth, subsequent development, or related activities likely to be ind	fuced by the proposed action? Explain briefly.
No	
C6. Long term, short term, cumulative, or other effects not identified in C	C1-C5? Exclain briefiv.
No	
C7. Other impacts (including changes in use of either quantity or type of	i energy)? Explain briefly.
No	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO PO	TENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
PART III—DETERMINATION OF SIGNIFICANCE (To be comple	
Each effect should be assessed in connection with its (a) setting	line whether it is substantial, large, important or otherwise significant. ng (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) ary, add attachments or reference supporting materials. Ensure that dverse impacts have been identified and adequately addressed.
Check this box if you have identified one or more po occur. Then proceed directly to the FULL EAF and/or	otentially large or significant adverse impacts which MAY representation.
Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
Name of Lea	ad Agency
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
Time of Type Hame of Responsible Criteci in ceda rigency	Luar y All
Signature of Responsible Officer in Lead Agency	Signature of Separer (If different from responsible officer)
Dat	te

MCV . 7 1993

#### PROXY STATEMENT

#### for submittal to the

#### TOWN OF NEW WINDSOR PLANNING BOARD

Canada Oil Corp.	it conducts, deposes and says that he
business at VALLEY (Owner's Address)	
in the County of CASSACO	
and State of New JER	2564
and that he is the owner in fee of Block 1, Lot 98	
which is the premises described : that he has authorized Gregory J.	
to make the foregoing application	
Date: <u>Mov. 10, 1993</u>	(Owner's Signature)  (Owner's Signature)  (Witness' Signature)

THIS FORM CANNOT BE WITNESSED BY THE PERSON OR REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.



# TOWN OF NEW WINDSOR PLANNING BOARD SITE PLAN CHECKLIST

#### ITEM

29. X Curbing Locations 1. X Site Plan Title 2. X Applicant's Name(s) 30. X Curbing Through 3.\_X\_Applicant's Address(es) Section 4. X Site Plan Preparer's Name
5. X Site Plan Preparer's Address
6. X Drawing Date 31 N/A Catch Basin Locations 32 N/A Catch Basin Through Section 7. X Revision Dates 33. X Storm Drainage 34. X Refuse Storage 8. X AREA MAP INSET 35 N/A Other Outdoor Storage 36. X Water Supply 37. X Sanitary Disposal Sys.  $9._{x}$ Site Designation 10.NZAProperties Within 500 Feet of Site 11.N/AProperty Owners (Item #10) 38 N/A Fire Hydrants  $39.\overline{X}$  Building Locations  $40.\overline{X}$  Building Setbacks 12. X PLOT PLAN 13. $\underline{X}$ Scale (1" = 50' or lesser) 14.\_x\_Metes and Bounds 41 N/A Front Building 15.  $\bar{x}$  Zoning Designation Elevations 42 N/A Divisions of Occupancy 16.\_X\_North Arrow 17.\_X\_Abutting Property Owners 43. X Sign Details 18. X Existing Building Locations 44. X BULK TABLE INSET 19. X Existing Paved Areas 45.X Property Area (Nearest  $20._{X}$ Existing Vegetation 100 sq. ft.) 21. X Existing Access & Egress 46.X Building Coverage (sq. ft.) 47. X Building Coverage (% PROPOSED IMPROVEMENTS of Total Area) 22. X Landscaping 23. X Exterior Lighting 48. X Pavement Coverage (Sq. 24.\_X\_Screening Ft.) 49.X Pavement Coverage (% 25. X Access & Egress 26.\_x\_Parking Areas of Total Area)  $27.\bar{x}$  Loading Areas 50. X Open Space (Sq. Ft.) 28.\_X\_Paving Details 51. X Open Space (% of Total (Items 25-27) Area) 52. X No. of Parking Spaces Proposed. 53. X No. of Parking Required.

This list is provided as a guide only and is for the convenience of the Applicant. The Town of New Windsor Planning Board may require additional notes or revisions prior to granting approval.

#### PREPARER'S ACKNOWLEDGEMENT:

The Site Plan has been prepared in accordance with this checklist and the Town of New Windsor Ordinances, to the best of my knowledge.

Licensed Professional

Date: Nov 1. 1993

# **Environmental Assessment Form**

# **And Attachments**

## Relating To

# I.D.C. Soil Reclamation

Location:

4.4 acres situated on the easterly side of River Road in the Town of New Windsor, Orange County, New York. (Tax Map

Parcel: Section 9, Block 1, Lot 96)

Applicant:

Ira D. Conklin & Sons, Inc.

92-94 Stewart Avenue

Newburgh, New York 12550

(914) 561-1512

Lead Agency:

Town of New Windsor Planning Board

555 Union Avenue

New Windsor, New York 12553

Preparer For The Lead Agency

Shaw Engineering 744 Broadway

Newburgh, New York 12550

Gregory J. Shaw, P.E.

(914) 561-3695

Date Of Submission: February 28, 1994

# Shaw Engineering

Consulting Engineers

744 Broadway P.O. Box 2569 Newburgh, New York 12550 [914] 561-3695

February 28, 1994

Chairman James Petro and
Members of the Planning Board
TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, New York 12550

Re: Site Plan For I.D.C. Soil Reclamation River Road

Dear Chairman Petro and Planning Board Members:

On behalf of I.D.C. Soil Reclamation I am pleased to submit, herewith, 14 copies of the Environmental Assessment Form with Attachments that is dated February 28, 1994. This document is being submitted in accordance with SEQR for the purpose of assisting your Planning Board in making a Determination Of Significance regarding the subject project.

I.D.C. Soil Reclamation thanks you for your consideration of this project.

Respectfully submitted,

**SHAW ENGINEERING** 

Principal

GJS:mmv Enclosure

cc: Ira D. Conklin III, I.D.C. Soil Reclamation

# **TABLE OF CONTENTS**

- ◆ Environmental Assessment Form
- ♦ Description Of Soil Reclamation Process
- Visual Assessment And Enhancements
- ♦ Stormwater Management
- ♦ Assessment Of Traffic And Noise Impacts
- ◆ Site Investigation Regarding Possible Petroleum Contamination By Former Fuel Oil Terminal
- ◆ Assessment Of Soil Remediation Unit Emissions
- ◆ Emergency Response Contingency Plan

ENVIRONMENTAL ASSESSMENT FORM

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# 617.21 Appendix A State Environmental Quality Review FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasureable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICAN	CE—Type 1 and Unlisted Actions			
Identify the Portions of EAF completed for this project:	☐ Part 1 ☐ Part 2 ☐ Part 3			
Upon review of the information recorded on this EAF (Part information, and considering both the magitude and imported agency that:				
	mportant impact(s) and, therefore, is one which will not t, therefore a negative declaration will be prepared.			
	effect on the environment, there will not be a significant igation measures described in PART 3 have been required, tion will be prepared.*			
on the environment, therefore a positive decl * A Conditioned Negative Declaration is only valid f	<ul> <li>C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.</li> <li>A Conditioned Negative Declaration is only valid for Unlisted Actions</li> </ul>			
New Facility For I.D.( Name of				
Town of New Windson	r Planning Board			
Name of Le	ad Agency			
James Petro	Chairman			
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer			
Signature of Responsible Officer in Lead Agency	Signature of Preparer (If different from responsible officer) Gregory J. Shaw, P.E.			
Da	ite			

# PART 1—PROJECT INFORMATION

#### Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION			
New Facility For I.D.C. Soil Reclamation	<del></del>		
LOCATION OF ACTION (Include Street Address, Municipality and County)			
River Road, Town of New Windsor, Orange Co			
NAME OF APPLICANT/SPONSOR	<b>*</b>	BUSINESS TELEF	
Ira D. Conklin & Sons, Inc. ADDRESS	L	(914) 561	-1512
92-94 Stewart Avenue			
CITY/PO	<del></del>	STATE	ZIP CODE
Newburgh		N.Y.	
NAME OF OWNER (If different)		BUSINESS TELE	
		( )	
ADDRESS			
CITY/PO		STATE	ZIP CODE
DESCRIPTION OF ACTION			
The construction of a soil reclamation fac	cility where	petroleur	m
contaminated soil is thermally stripped of	f its petroleu	m content	 h .
After processing, the inert soil is transp	ported off sit	o whore	· .
can be used as clean fill material. This	ported orrestd	where .	1 U
can be ased as clean lill material. Inis	accion would	redutte	the
demolition of E fuel cherre table while .	akilimina kha	L	
demolition of 5 fuel storage tanks while tanks for storage of the processed sail	utilizing the	two rema:	ining
tanks for storage of the processed soil.	utilizing the	two rema:	ining
tanks for storage of the processed soil.  lease Complete Each Question—Indicate N.A. if not applicable	utilizing the	two rema:	ining
tanks for storage of the processed soil.  Please Complete Each Question—Indicate N.A. if not applicable	utilizing the	two rema:	ining
tanks for storage of the processed soil.  Please Complete Each Question—Indicate N.A. if not applicable  A. Site Description		two rema:	ining 
tanks for storage of the processed soil.  Please Complete Each Question—Indicate N.A. if not applicable  A. Site Description  Physical setting of overall project, both developed and undeveloped	ed areas.		
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tanks for storage of the processed soil.  lease Complete Each Question—Indicate N.A. if not applicable  A. Site Description  Physical setting of overall project, both developed and undeveloped.  Present land use: Urban Industrial Commercial  Forest Agriculture Industrial  Total acreage of project area: 4.44 acres.  APPROXIMATE ACREAGE  Meadow or Brushland (Non-agricultural)  Forested	ed areas.  I	uburban) River  LY AFTER es	□Rurai ··on-far  COMPLET ac ·· acres
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5. Approximate percentage of proposed project site with slopes:	□0-10% <u>100</u> % □15% or greater	
6. Is project substantially contiguous to, or contain a building. Registers of Historic Places? □Yes ☑No	, site, or district, listed on th	ne State or the National
7. Is project substantially contiguous to a site listed on the Regist	er of National Natural Landm	arks? □Yes □No
8. What is the depth of the water table? 2 (in feet) As of		
9. Is site located over a primary, principal, or sole source aquife	er? □Yes □XNo	
10. Do hunting, fishing or shell fishing opportunities presently ex	cist in the project area?	iYes WNo
11. Does project site contain any species of plant or animal		
□Yes □No According to		
12. Are there any unique or unusual land forms on the project  ☐Yes ☐No Describe	t site? (i.e., cliffs, dunes, othe	
13. Is the project site presently used by the community or a ☐Yes ☐No If yes, explain		
14. Does the present site include scenic views known to be im  ☐Yes ☒No	portant to the community?	
15. Streams within or contiguous to project area: <u>the site</u> a. Name of Stream and name of River to which it is		
16. Lakes, ponds, wetland areas within or contiguous to project a. Name		25)
17. Is the site served by existing public utilities? XXYes [a] If Yes, does sufficient capacity exist to allow connection	□No ? · ໘Yes □No	
b) If Yes, will improvements be necessary to allow connecti	on? □Yes ØNo	
18. Is the site located in an agricultural district certified purs Section 303 and 304? □Yes ☑No	suant to Agriculture and Ma	rkets Law, Article 25-AA,
19. Is the site located in or substantially contiguous to a Critica of the ECL, and 6 NYCRR 617? □Yes ©No	l Environmental Area designa	ted pursuant to Article 8
20. Has the site ever been used for the disposal of solid or haz	ardous wastes? □Yes	∕DNo
B. Project Description		
1. Physical dimensions and scale of project (fill in dimensions a	· · · · ·	
<ul> <li>a. Total contiguous acreage owned or controlled by project</li> <li>b. Project acreage to be developed: 2.47 acres in</li> </ul>		
c. Project acreage to be developed: 2.47 acres in		res ultimately.
d. Length of project, in miles: N.A. (If appropriate		
e. If the project is an expansion, indicate percent of expan		<b>9</b> 4. ·
f. Number of off-street parking spaces existing 6		,,
g. Maximum vehicular trips generated per hour	- ·	ect)? Pofor to mans
h. If residential: Number and type of housing units: N.A.		Study
One Family Two Family	Multiple Family	Condominium
Initially	*	
Ultimately		25
i. Dimensions (in feet) of largest proposed structure $\frac{12}{}$		35 length.
j. Linear feet of frontage along a public thoroughfare proj	ect will occupy is?245	ft.

2. How much natural material (i.e., rock, earth, etc.) will be removed from the site? tons/cubic yards
3. Will disturbed areas be reclaimed? ☑Yes □No □N/A
a. If yes, for what intended purpose is the site being reclaimed? facility operations or buffer are
b. Will topsoil be stockpiled for reclamation?
c. Will upper subsoil be stockpiled for reclamation?   ☑Yes □No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? O acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  ☐ Yes ☑No
6. If single phase project: Anticipated period of construction6 months, (including demolition).
7. If multi-phased: N.A.
a. Total number of phases anticipated (number).
b. Anticipated date of commencement phase 1 month year, (including demolition).
c. Approximate completion date of final phase month year.
d. Is phase 1 functionally dependent on subsequent phases? ☐Yes ☐No
8. Will blasting occur during construction?   Yes   No
9. Number of jobs generated: during construction 10; after project is complete 6.
10. Number of jobs eliminated by this project0
11. Will project require relocation of any projects or facilities?
12. Is surface liquid waste disposal involved? □Yes ☑No
a. If yes, indicate type of waste (sewage, industrial, etc.) and amount
b. Name of water body into which effluent will be discharged
13. Is subsurface liquid waste disposal involved? □Yes ☑No Type
14. Will surface area of an existing water body increase or decrease by proposal? □Yes 気No
Explain
15. Is project or any portion of project located in a 100 year flood plain?
16. Will the project generate solid waste? □Yes ☒No CONRA☐
a. If yes, what is the amount per month tons
b. If yes, will an existing solid waste facility be used?
c. If yes, give name; location
d. Will any wastes <b>not</b> go into a sewage disposal system or into a sanitary landfill? $\Box$ Yes $\Box$ No
e. If Yes, explain
17. Will the project involve the disposal of solid waste? □Yes ☒No
a. If yes, what is the anticipated rate of disposal? tons/month.
b. If yes, what is the anticipated site life? years.
18. Will project use herbicides or pesticides? □Yes ☑No
19. Will project routinely produce odors (more than one hour per day)? □Yes XXNo
21. Will project result in an increase in energy use? Wayes Who
If yes, indicate type(s) #2 Fuel Oil and Gasoline
22. If water supply is from wells, indicate pumping capacity N.A. gallons/minute.
23. Total anticipated water usage per day $\frac{2,000}{2}$ gallons/day.
24. Does project involve Local, State or Federal funding? □Yes ☑No  If Yes, explain

i

25. Approvals Required:			Туре	Submittal Date
City, Town, Village Board	□Yes	□No		
City, Town, Village Planning Board	₹iYes	□No	Site Plan Approval	Nov. 1993
City, Town Zoning Board	□Yes	□No		
City, County Health Department	□Yes	□No		
Other Local Agencies	□Yes	□No		
Other Regional Agencies	□Yes	□No		
State Agencies NYSDEC	X☐Yes	□No	Article 27, Title 7, 6NYCRR360, Solid Waste	March 1994
Federal Agencies NYSDEC	□Yes	□No	Management SPDES	March 1994
C. Zoning and Planning Informa	ation			
1. Does proposed action involve a plant	ning or a	zoning dec	ision? ဩYes □No	
If Yes, indicate decision required:				
□zoning amendment □zoning		•	pecial use permit  subdivision	<b>∑</b> site plan
□new/revision of master plan		-	•	
2. What is the zoning classification(s)of				
3. What is the maximum potential deve	lopment	t of the site	e if developed as permitted by the pr	esent zoning?
4. What is the proposed zoning of the	site?	N.A.		
5. What is the maximum potential deve			e if developed as permitted by the pr	oposed zoning?
6. Is the proposed action consistent with	h tha ra	commanda	d uses in adopted local land use plan	ns? 🕱 Yes 🗆 No
7. What are the predominant land use(s				••
Industrial and Res			meations within a 14 time radius of p	roposed detion:
8. Is the proposed action compatible			rounding land uses within a 1/2 mi	le? DXYes DNo
9. If the proposed action is the subdiv		_		
10. Will proposed action require any au				
11. Will the proposed action create a fire protection)? □Yes ØNo	demand			
a. If yes, is existing capacity s	ufficient	t to handle	projected demand? DYes D	٩o
12. Will the proposed action result in t				ls? □Yes ဩNo
			_	Yes □No
D. Informational Details  Attach any additional information impacts associated with your proposal, pavoid them.			to clarify your project. If there are compacts and the measures which you	
E. Verification I certify that the information provide	ded abo	ove is true (	to the best of my knowledge	
Applicant/Sponsor Name I.D.C. S				
Signature	an-		TitleEngineer for App	licant
If the action is in the Coastal Area, and y with this assessment.	ou are a	a state ager	icy, complete the Coastal Assessment I	Form before proceeding

#### Part 2—PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

#### General Information (Read Carefully)

- In completing the form the reviewer should be guided by the question: Have my responses and determinations been reasonable? The reviewer is not expected to be an expert environmental analyst.
- Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant.

  Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- The Examples provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumlative effects.

#### Instructions (Read carefully)

- a. Answer each of the 19 questions in PART 2. Answer Yes if there will be any impact.
- b. Maybe answers should be considered as Yes answers.
- c. If answering Yes to a question then check the appropriate box (column 1 or 2) to indicate the pc.\_ tial size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- e. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

IMPACT ON LAND  1 Will the proposed action result in a physical change to the project site?	1 Small to Moderate Impact	2 Potential Large Impact	Can Imp Mitigat Project (	ed By
■NO MYES  Examples that would apply to column 2  No • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.			□Yes	□No
No • Construction on land where the depth to the water table is less than 3 feet.			□Yes	□No
No • Construction of paved parking area for 1,000 or more vehicles.			□Yes	□No
No • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.			□Yes	□No
No • Construction that will continue for more than 1 year or involve more than one phase or stage.			□Yes	□No
No • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.			□Yes	□No
No • Construction or expansion of a sanitary landfill.			□Yes	□No
No • Construction in a designated floodway.			□Yes	□No
Yes Other impacts Removal of existing storage tanks and regrading the site	<b>Ω</b>		□Yes	□No
<ul> <li>Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) ☑NO ☐YES</li> <li>Specific land forms:</li></ul>			□Yes	□no

6

	IMPACT ON WATER  3 Will proposed action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impa Mitigate Project C	d By
1	Examples that would apply to column 2  ■ Developable area of site contains a protected water body.			□Yes	□No
No	<ul> <li>Dredging more than 100 cubic yards of material from channel of a protected stream.</li> </ul>			□Yes	□No
i No	Extension of utility distribution facilities through a protected water body.			□Yes	□No
No	<ul> <li>Construction in a designated freshwater or tidal wetland.</li> </ul>			□Yes	□No
No	• Other impacts:			□Yes	□No
	4. Will proposed action affect any non-protected existing or new body of water? XZNO □YES Examples that would apply to column 2				
No	<ul> <li>A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.</li> </ul>			□Yes	□No
No	• Construction of a body of water that exceeds 10 acres of surface area.			□Yes	□No
No	Other impacts:			□Yes	□No
	5 Will Proposed Action affect surface or groundwater quality or quantity? □NO XXES Examples that would apply to column 2				
!	Proposed Action will require a discharge permit.		🔀	¥Yes	□No
	<ul> <li>Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.</li> </ul>			Yes	□No
No	<ul> <li>Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.</li> </ul>			□Yes	□No
No	<ul> <li>Construction or operation causing any contamination of a water supply system.</li> </ul>			□Yes	□No
No No	<ul> <li>Proposed Action will adversely affect groundwater.</li> <li>Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.</li> </ul>			□Yes □Yes	□no □no
No	<ul> <li>Proposed Action would use water in excess of 20,000 gallons per day.</li> </ul>			□Yes	□No
No	<ul> <li>Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.</li> </ul>			□Yes	□No
No	<ul> <li>Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.</li> </ul>			□Yes	□No
No	Proposed Action will allow residential uses in areas without water and/or sewer services.			□Yes	□No
No	<ul> <li>Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.</li> </ul>			□Yes	□No
Yes	<ul> <li>Other impacts: Stormwater discharge and potential</li> </ul>		<b>E</b>	₹☐Yes	□No
	contamination of water quality				
	6 Will proposed action alter drainage flow or patterns, or surface water runoff? ☑NO ☐YES Examples that would apply to column 2				
No				□Yes	□No

	Small to Moderate Impact	2 Potential Large Impact	Can Imp Mitigat Project (	act Be ed By
No • Proposed Action may cause substantial erosion.			□Yes	□No
No • Proposed Action is incompatible with existing drainage patterns.			□Yes	□No
NO • Proposed Action will allow development in a designated floodway.			□Yes	
No • Other impacts:		Ц	□Yes	□No
IMPACT ON AIR				
7 Will proposed action affect air quality? ☐NO ☐YES Examples that would apply to column 2				
No • Proposed Action will induce 1,000 or more vehicle trips in any given hour.			□Yes	□No
: No • Proposed Action will result in the incineration of more than 1 ton of refuse per hour.			□Yes	□No
Yes Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	忆		□Yes	□No
No • Proposed action will allow an increase in the amount of land committed to industrial use			□Yes	□No
No • Proposed action will allow an increase in the density of industrial development within existing industrial areas.			□Yes	□No
No • Other impacts:			□Yes	□No
IMPACT ON PLANTS AND ANIMALS				
8. Will Proposed Action affect any threatened or endangered species?   Examples that would apply to column 2				
No • Reduction of one or more species listed on the New York or Federal list, using the site, over or near site or found on the site.			□Yes	□No
No • Removal of any portion of a critical or significant wildlife habitat.			□Yes	□No
<ul> <li>No</li> <li>Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.</li> </ul>			□Yes	□No
No • Other impacts:			□Yes	□No
9 Will Proposed Action substantially affect non-threatened or non-endangered species?  ☐YES Examples that would apply to column 2				
No • Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.			□Yes	□No
No • Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.			□Yes	□No
IMPACT ON AGRICULTURAL LAND RESOURCES				
10 Will the Proposed Action affect agricultural land resources?  ☑NO □YES				
<ul> <li>Examples that would apply to column 2</li> <li>No</li> <li>The proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vinevard, orchard, etc.)</li> </ul>			□Yes	□No

		1 Small to Moderate Impact	2 Potential Large Impact	Can Imp Mitigate Project C	ed By
No	<ul> <li>Construction activity would excavate or compact the soil profile of agricultural land.</li> </ul>			□Yes	□No
No	<ul> <li>The proposed action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultutal District, more than 2.5 acres of agricultural land.</li> </ul>			□Yes	□No
_ No	<ul> <li>The proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm</li> </ul>			□Yes	□No
No	field to drain poorly due to increased runoff)  Other impacts:			□Yes	□No
	IMPACT ON AESTHETIC RESOURCES  11. Will proposed action affect aesthetic resources? ☑NO ☐YES (If necessary, use the Visual EAF Addendum in Section 617.21, Appendix B.)				
No	<ul> <li>Examples that would apply to column 2</li> <li>Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.</li> </ul>			□Yes	□No
No	<ul> <li>Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.</li> </ul>			□Yes	□No
No	<ul> <li>Project components that will result in the elimination or significant screening of scenic views known to be important to the area.</li> </ul>			□Yes	
	• Other impacts:			□Yes	□No
	IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES  12. Will Proposed Action impact any site or structure of historic, pre- historic or paleontological importance?   Examples that would apply to column 2  Examples that would apply to column 2				
No	<ul> <li>Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.</li> </ul>			□Yes	□No
No	<ul> <li>Any impact to an archaeological site or fossil bed located within the project site.</li> </ul>			□Yes	□No
. No	<ul> <li>Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.</li> </ul>			□Yes	□No
. No	Other impacts:			□Yes	□No
No No No	IMPACT ON OPEN SPACE AND RECREATION  13 Will Proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?  Examples that would apply to column 2 ★□NO □YES  • The permanent foreclosure of a future recreational opportunity.  • A major reduction of an open space important to the community.  • Other impacts:	000		□Yes □Yes □Yes	□ z o □ z o □ z o

IMPACT ON TRANSPORTATION  14. Will there be an effect to existing transportation systems?	1 Small to Moderate	2 3 Potential Can Impact Be Large Mitigated By		
□NO XXYES  Examples that would apply to column 2	Impact	Impact	Project C	Change
NO Alteration of present patterns of movement of people and/or goods.  NO Proposed Action will result in major traffic problems.  Yes Other impacts: Increase in traffic movements			□Yes □Yes □Yes	□No □No □No
IMPACT ON ENERGY				
15. Will proposed action affect the community's sources of fuel or energy supply?			□Yes	□No
any form of energy in the municipality.				
NO• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.			□Yes	□No
NO• Other impacts:			□Yes	□No
NOISE AND ODOR IMPACTS				
16. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action? ♣NO ☐YES Examples that would apply to column 2				
NO• Blasting within 1,500 feet of a hospital, school or other sensitive facility.			□Yes	□No
NO• Odors will occur routinely (more than one hour per day).			□Yes	□No
NO• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.			□Yes	□No
NO• Proposed Action will remove natural barriers that would act as a noise screen.			Yes	□No
NO• Other impacts:			□Yes	□No
IMPACT ON PUBLIC HEALTH				İ
17 Will Proposed Action affect public health and safety?  XNO □YES				
Examples that would apply to column 2			1_	
NO Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.			Yes	□No
NO • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)			□Yes	□No
NO • Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.			□Yes	□No
NO • Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous			□Yes	□N0
waste.  NO • Other impacts.			□Yes	□No

#### 3 2 IMPACT ON GROWTH AND CHARACTER Small to Potential Can Impact Be OF COMMUNITY OR NEIGHBORHOOD Moderate Large Mitigated By 18 Will proposed action affect the character of the existing community? Impact Impact Project Change □YES **I**NO Examples that would apply to column 2 No • The permanent population of the city, town or village in which the $\square$ Yes □No project is located is likely to grow by more than 5%. \_\es □N0 No • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project No • Proposed action will conflict with officially adopted plans or goals. □No \_ Yes □Yes □No No • Proposed action will cause a change in the density of land use. • Proposed Action will replace or eliminate existing facilities, structures $\Box$ $\Box$ □Yes □No. or areas of historic importance to the community. $\Box$ □ Yes □No No • Development will create a demand for additional community services (e.g. schools, police and fire, etc.)

 $\Box$ 

□No

□No

□No

□Yes

□Yes

□Yes

19. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts?

If Any Action in Part 2 Is Identified as a Potential Large Impact or If You Cannot Determine the Magnitude of Impact, Proceed to Part 3

# Part 3—EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

#### Instructions

No • Other impacts:\_\_\_

Discuss the following for each impact identified in Column 2 of Part 2:

No • Proposed Action will set an important precedent for future projects.

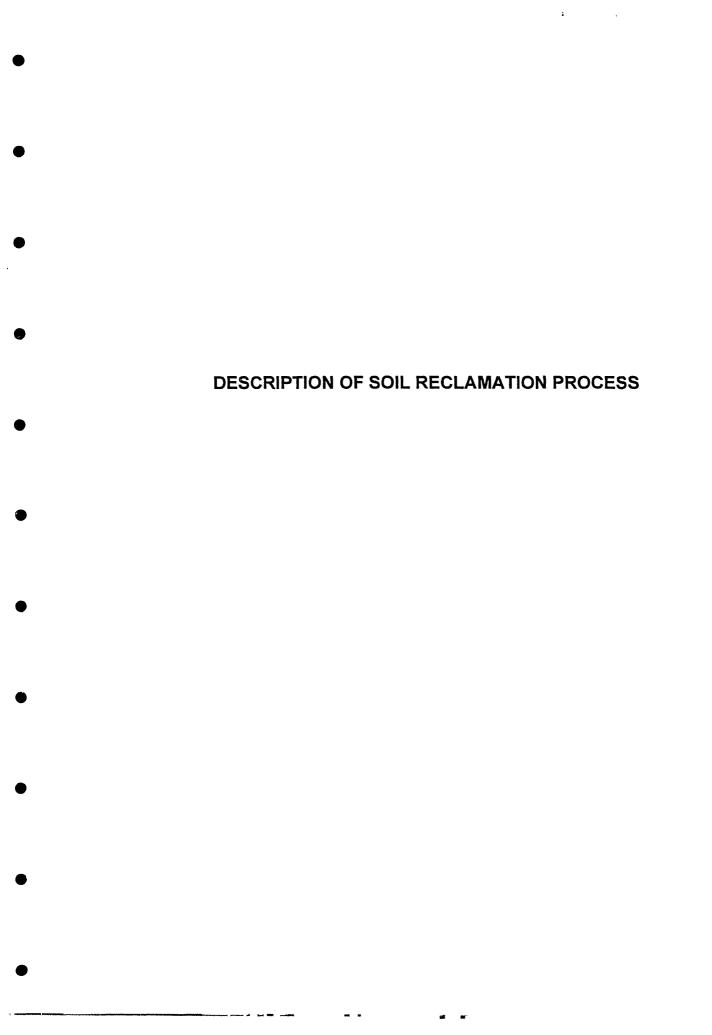
NO Proposed Action will create or eliminate employment.

- 1. Briefly describe the impact.
- 2 Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s
- 3 Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact.

(Continue or attachments)



# **Description of Soil Reclamation Process**

I.D.C. Soil Reclamation will thermally treat petroleum contaminated soils which are primarily generated by IDC customers during underground fuel tank replacement, and accidental fuel leaks. Prior to transport to IDC's facility, the contaminated soil will be tested to determine if the material is non-hazardous and conforms to all pre-acceptance criteria for Thermal Treatment Controlled Waste, as set forth by NYS Department of Environmental Conservation (NYSDEC). Once it is determined that the sample has satisfied the criteria, it is "finger printed" for its characteristics and for future reference.

The delivery of the petroleum contaminated soils will be scheduled with the facility. This scheduling will limit the maximum number of vehicles arriving at the site at one time to ten (10) tractor trailers. Trailers transporting additional material will be scheduled accordingly. IDC Facility will accept this contaminated soil between the hours of 6 a.m. to 6 p.m., Monday through Friday, excluding state and federal holidays.

Upon arriving at the site the tractor trailer will be backed onto a truck scale and weighed. IDC personnel will take appropriate samples of the soil to insure conformance with the original "finger printed" sample. This sampling and analysis will prevent acceptance of any hazardous soil by IDC.

Once the soil characteristic are confirmed, the material will be deposited onto a concrete mat, where a loader or excavator will screen oversized materials from the contaminated soil. This oversized material is defined as rock, stone, or concrete larger than 3 inches.. All oversized concrete and rock which meet the criteria for clean fill will be hauled off-site. If oversized material is contaminated it will be washed or crushed, and handled as same. Once the screening process is complete, the contaminated soil will be placed in the easterly steel storage tank for future thermal treatment. This tank is 70 feet in diameter, 30 feet high with a storage capacity of 4,989 cubic yards.

The soil will be removed from the easterly tank by a loader and placed directly in the Soil Remediation Unit (SRU) for thermal treatment. This SRU will operate 16 hours per day, six days per week. After treatment in the SRU the soil will be conveyed by a screw auger into the westerly steel storage tank. Along the length of the screw auger, water will be injected into the treated soil for dust control. Based upon the 16 hour per day operation, the water usage is estimated at 2,000 GPD. No water runoff from the water injection is anticipated as the thermally treated soil will absorb the water spray.

All thermally treated material will be segregated on a daily basis. To insure that the contaminants have been removed from the soil, it will be sampled and tested in accordance with the NYSDEC Permit. After completion of the tests, and the review of the results by IDC personnel, the sterile material will be transported from the facility as clean fill to a customer requiring same.

There will be no discharge from the soil reclamation process to the Town of New Windsor sanitary sewer system. The only wastewater which will be discharged to the municipal sewer system will be that generated by the office facilities.

It is estimated that this facility will initially process 50,000 tons of petroleum contaminated soil per year. This represents an average of 30 trucks deliveries per day, 5 days per week.

Prepared By: Gregory J. Shaw, P.E. Shaw Engineering

•	
•	
•	VISUAL ASSESSMENT AND ENHANCEMENTS
•	
•	
•	
•	

#### **Visual Assessment And Enhancements**

## Southern Approach On River Road Traveling North:

The approach from the south is at a higher elevation than the site, with the site coming into full view only upon reaching the adjacent site to the south. The existing visual character upon initial approach is one of industrial blight.

The lands immediately to the east (right) of River Road throughout the area are composed of large open industrial tank facilities; with numerous steel tanks and open space between covered with asphalt. There are minimal trees with none along the roadway, thus giving no visual definition for the road or separation from road to site and/or definition of sites to each other. Beyond the view of the industrial sites the Hudson River can be seen above the tanks on early approach and through the tanks when reaching an elevation equal with the proposed site.

The land to the west of the road is composed of a steep wooded bluff with native deciduous trees and along the roadway two story frame houses in poor condition dotted here and there offering no visual unity to the roadway corridor however every so often there are elderly street trees.

The view of the site itself is of the same character as its adjacent sites - open, highly visible containing a relatively flat piece of asphalt, numerous rusted storage tanks and offers no visual separation from the roadway or between adjacent sites. Similar to adjacent sites there is no visual definition of entry to the sites

#### Northern Approach On River Road Traveling South:

This approach is similar to the southern approach but reversed. There are numerous other tank facilities along the roadway on the west side with far fewer homes. The existing view of the site itself is more visible upon this approach due to the orientation of the roadway relative to the site and the openness of the adjacent northern site.

#### **View From Hudson River**

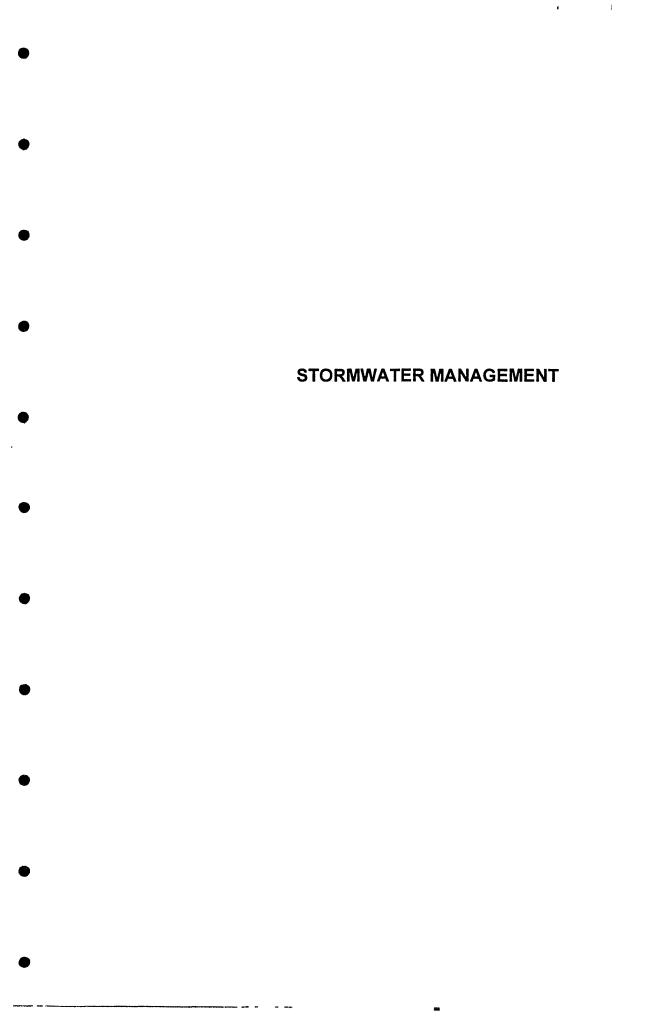
The view from the river is one of relatively flat terrain - the grade does not rise dramatically until after looking beyond the site past River Road. At this point the grade rises sharply and the deciduous trees and sparse view of homes on the slope can be seen. The visual impact of the existing tanks is actually a view of only the tanks in the foreground. Tanks and related elements behind others cannot be seen due to the perspective and relative elevation of viewpoint. The adjacent sites all have similar visual character without any attempt made to screen the tanks.

# **Proposed Visual Enhancement**

Improvement can only be done from within the site's property lines. Existing tanks along the southern property line will be removed this improving the view from the road by reducing the visual impact of industrial type structures. Without the tanks the ground area will not be visible from River Road due to existing structures and planting on the site to the south blocking the view; therefore no visual treatment is necessary here. At the entry points the visual openness of the site will be reduced by the use of planting and mounding on each side of the entry thus acting as a visual buffer and separation between adjacent sites and roadway. This will also serve to visually define the entry points. The asphalt area will be screened from the road with mounding and evergreen trees on both north and south sides. The buffer areas were widened on both north and south sides such as much as feasible to provide this screening. Adjacent to the roadway along the property line large deciduous trees will be placed to define the road edge so the roadway appears visually separate from the site and will reflect the original character of the area. Entry sign will be done in neutral colors and all lighting near River Road will be in low level reflective lighting not appearing harsh or industrial in character. The tanks will be painted a neutral color to blend with the sky and river.

From the river remaining two tanks will be cleaned and painted natural color to blend in with the hillside rising beyond. The lower tank base will be painted darker solid color to blend in and appear as part of the ground plane. The entire site shall be visually screened from the river by placing a berm within the property between the railroad tracks and the site. The berm will be wrapped around at the corners as feasible so the site is screened from the north and south. The berm will undulate to appear natural and be planted with large evergreens and flowering trees in foreground. A flowering low maintenance groundcover shall be used on steep slopes facing the river. The view shall therefore mitigate negative views of the site so the viewers' eye moves up and past the site; recapturing the scenic quality of the Hudson River shoreline at this point. Trees indigenous to the area and on adjacent sites are proposed.

Prepared By: Carl Monte, L.A. Sitework Services



# **STORMWATER MANAGEMENT**

Having been formerly used as a fuel oil terminal, the site is presently segmented into two specific areas. On the easterly portion of the site is a fuel storage tank area consisting of seven tanks and a small building. This area is enclosed by an earth berm which provide retention for the storage tanks. This retention area represents approximately 55% of the parcel that is proposed for development. Stormwater generated by this area ponds within contour elevation 5 where it ultimately infiltrates into the ground.

On the westerly portion of the site are two buildings and a truck fill station. The majority of this area's surface is macadam pavement with the balance being unvegetated earth. Stormwater generated within this area flows overland to the east where it enters a catch basin, and flows through an oil/water separator prior to discharging into a drainage ditch along the north property line. This stormwater flows in the ditch to the east, through a culvert under the Conrail railroad tracks, where it ultimately into the Hudson River.

The development of the site will require the demolition of three buildings, five of the seven storage tanks, the truck fill station and the retention area. The majority of the site will be regraded, and surfaced with macadam pavement. Landscaped berms will be installed along the property lines to serve as visual buffers.

The developed site will consist of two drainage subareas. The smaller of the two subareas will be the new concrete mat located at the south easterly corner of the property. This concrete mat will be 12,900 s.f. in area and it will be used as temporary storage area for unscreened and unprocessed soil. The term temporary is used as it is anticipated that the soil will be removed from the mat and placed in the storage tank by the end of the day.

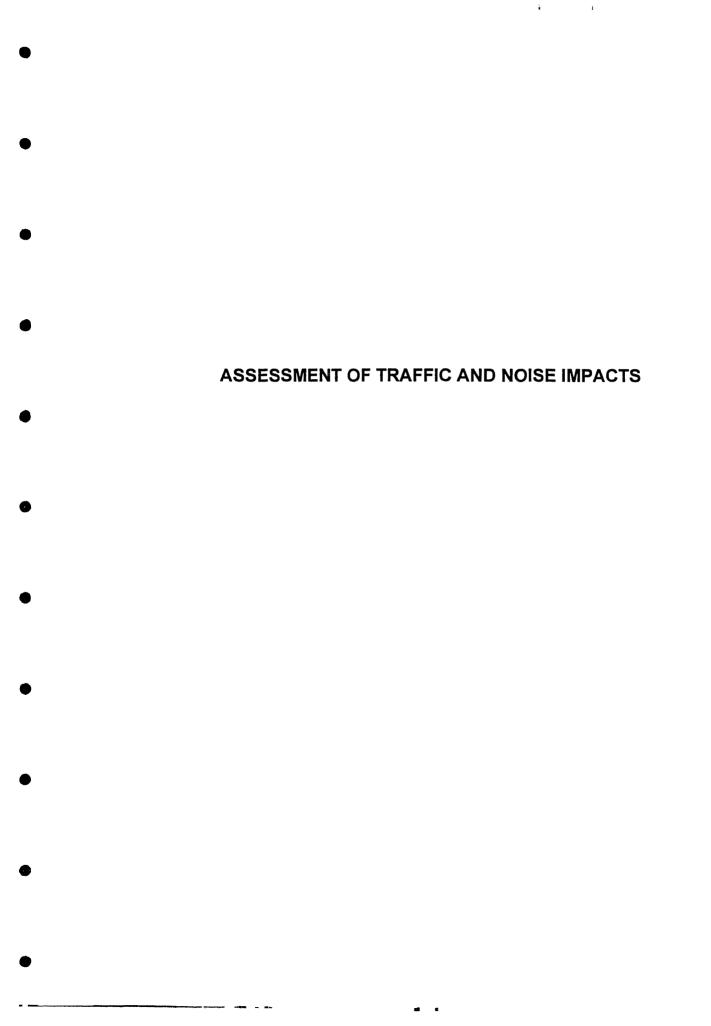
Stormwater generated within this mat will flow to a catch basin located at its northwest corner where it will discharge into an existing 4,000 gallon underground storage tank. The mat will have a macadam berm along its perimeter to contain the stormwater, and a valley along its center to direct the water to the catch basin. The 4,000 gallon tank capacity is equivalent to the quantity of stormwater generated by the mat surface during a rainfall of 0.5 inches. During rainfalls greater that 0.5 inches, the water level in the tank will be monitored, and the tank pumped accordingly.

Because the mat's stormwater will contain petroleum hydrocarbons, a result of the storage of petroleum contaminated soil on the mat, the stormwater will be pumped from the tank and treated in a carbon filtration system that is located at the site of Ira D. Conklin & Son, Inc. on Stewart Avenue in the Town of Newburgh. This system and its discharge operates under DEC Permit No. 3-3346-20/3-0.

The larger drainage area, representing the balance of the site, will direct its stormwater to the catchbasin of the existing oil/separator located in the center of the site. From this catchbasin the stormwater is processed in the separator and discharged into the drainage ditch which flows along the northerly property line. As under existing conditions, this stormwater will flow under the Conrail railroad tracks into the Hudson River. Presently the discharge of stormwater from the site operates under the SPDES Permit Number NY-0024261. A SPDES Permit will be obtained for the Soil Reclamation Facility.

Prepared By: Gregory J. Shaw, P.E.

Shaw Engineering



# JOHN COLLINS ENGINEERS, P.C. TRAFFIC-TRANSPORTATION ENGINEERS

= 11 BRADHURST AVENUE • HAWTHORNE, N.Y. • 10532 • (914) 347-7500 • FAX (914) 347-7266 == February 24, 1994

Mr. John Ewasutyn Ira Conklin Inc. P.O. Box 7457 Newburgh, New York 12550

Re: Proposed Soil Reclamation Facility
River Road
Town of New Windsor, NY

#### Dear John:

As per your request, we have completed our traffic and noise evaluations of the proposed Soil Reclamation Facility to be operated at the former Shotmeyer Terminal property on River Road in the Town of New Windsor, New York. The following summarizes the results of our evaluation relative to each of these areas:

# 1. <u>Introduction and Background</u> (Figure No. 1)

A Soil Remediation Facility is proposed to be operated on a site located on the east side of River Road generally opposite Silver Spring Road and immediately north of the Belcher Oil Company facility. This site formerly known as the Shotmeyer Terminal had previously operated as an oil distribution facility. The proposed Soil Remediation Facility involves the utilization of state of the art remediation units which includes a system consisting of a conveyor belt which feeds the contaminated soil into a rotating dryer/roaster that "cooks" the soil to remove contaminates. The

facility will be served initially by vehicular deliveries which will access the site via two driveway connections to River Road. Depending on the future level of usage, long term plans allow for the utilization of the rail spur which connects to the Conrail River Line.

# 2. Traffic Conditions

#### a) <u>Existing Conditions</u> (Figure No. 2)

In order to evaluate traffic conditions associated with the proposed facility it was necessary to first identify current traffic flows on River Road during both morning and afternoon Peak Hours and on a daily basis. Detailed traffic counts were collected in the vicinity of the site on February 2, February 7 and February 8, 1994 during morning and afternoon peak hours. This data was compared with available count information including daily volumes obtained from the New York State Department of Transportation (NYSDOT) for the River Road Corridor. Based on a comparison with the NYSDOT information, the existing peak hour traffic volumes were identified and are shown on Figure No. 2 for the AM and PM Peak Hours. The existing peak hours were generally found to occur between 7:30 AM - 8:30 AM and 4:30 PM - 5:30 PM.

# b) 2000 Projected Traffic Volumes (Figures No. 3)

In order to account for background traffic increases along the River Road Corridor, historical data from the New York State

Department of Transportation (NYSDOT) was referenced. This data shows a slight decrease in daily volumes over the last few years. However, in order to account for potential future increases in volumes, the existing peak hour traffic volumes were projected to the year 2000 utilizing a growth factor of 1% per year. The resulting year 2000 Projected Traffic Volumes are shown on Figure No. 3.

#### c) Site Traffic Generation

In order to identify any potential traffic impact associated with the proposed Soil Reclamation Facility, estimates of the peak hour traffic generation were developed for the site. Based on information supplied by your office, it is estimated that a total of 12 tanker trucks will enter and exit the site per day over a five day week. These truck loads will generally be spaced over the course of the day.

For comparison purposes we have obtained copies of the historical information for the Shotmeyer Terminal when it was in operation and have summarized data for 1980 and 1981. During these years, the average gallons distributed per month were approximately 800,000 gallons with the peak months of January, February and March in the 1 million to 1.3 million range. Based on a delivery truck sizes of between 2,800 and 3,400 gallons, this equates to between 382 and 464 vehicles over the course of the month or assuming a seven day operation

approximately 12-14 truckloads entering and exiting the site per day. This corresponds to slightly higher volumes than expected with the proposed use.

- d) <u>Arrival/Departure Distribution</u> (Figure No. 4)

  Based on the expected distribution of truck traffic to and

  from the site, an arrival/departure distribution was

  developed. The distributions are shown on Figure No. 4.
- e) 2000 Build Traffic Volumes (Figures No. 5 and 6)

  Although the traffic generated at the site is expected to be spread out over the course of the day, to provide a conservative analysis, it was assumed that the truck traffic to and from the site would all occur over a two hour period equating to approximately six entering and six exiting trucks per hour. These site generated volumes shown on Figure No. 5 were combined with the 2000 Projected Traffic Volumes to obtain the 2000 Build Traffic Volumes which are shown on Figure No. 6.

#### f) Traffic Impact Analysis

In order to determine Levels of Service and operating conditions, it was necessary to conduct capacity analysis utilizing the procedures contained in the 1985 Highway Capacity Manual. A description of the analysis procedures follows:

The unsignalized intersection capacity analysis method utilized in this report was also performed in accordance with the procedures described in the 1985 Highway Capacity Manual. The procedure is based upon the utilization of gaps in the major traffic stream and it computes a Level of Service based upon the reserve capacities of each key movement. On roadways such as those in the vicinity of the site it can normally be expected that the uncontrolled major traffic stream will experience favorable operating conditions while the side street may experience some delays during peak periods when turning left or crossing the major traffic stream.

Utilizing the above procedures capacity analysis were conducted at the site driveway. A review of the analysis contained in Appendix "C" indicates that Levels of Service experienced during peak hours. Thus, the proposed Soil Reclamation Facility will not impact Levels of Service or operating conditions. In fact, in comparison to the previous use of the site will result in slightly fewer vehicular movements to and from the property. The final design of the access points will require review and approval from the Town and NYSDOT and we suggest that the plan be submitted for their review.

#### 3. Noise Impact Analysis

Due to its location, the primary noise sources in the area are due primarily to vehicular traffic along River Road, rail activity along the Conrail line and more remotely from boat usage on the Hudson River.

#### a) Scope of Evaluation

This evaluation has been prepared to identify existing noise levels in the area, to project future noise levels for the No-Build and Build conditions and to determine any potential impact due to expected traffic noise increases as well as increases due to the noise associated with the operation of reclamation equipment.

Existing noise levels were measured to obtain the ambient (background) noise level at receptor locations in the vicinity of the site. At the time of the noise measurements, simultaneous vehicle classification traffic counts were also conducted to allow the development of a relationship between the existing traffic volumes and the measured noise levels. The existing traffic volumes and corresponding noise levels were then projected to the future Design Year of 2000 based on the traffic projections for the site. In addition, noise levels measurements were taken of the IDC Soil Reclamation Unit located at your Newburgh office. The existing and projected noise levels were then compared to recommended noise level guidelines.

A description of typical noise descriptors, governmental guidelines and the analysis methodology utilized in evaluating the noise levels is described in the following sections.

In addition, a discussion of construction noise considerations is presented in Section "F".

b) Characteristics Of Environmental Noise (Tables No. 1 and 2) To characterize noise environments and to assess any impact on noise-sensitive areas, a single value of broad band noise levels is established using a frequency weighting that simulates human perception. Governmental noise criteria generally specify noise level guidelines in the units of A-weighted noise or decibels-A The A-weighted noise measurement has been found to (dBA). correlate well with the response of the human ear which is relatively insensitive to low frequencies. Table No. 1 provides a summary of some typical A-weighted noise levels. guidelines stipulate noise impacts to be evaluated in terms of noise levels designated Leq or L10. The Leq (equivalent sound level) is an equivalent level "energy-averaged" over a specified period of time. This measure is useful for characterizing environmental noise since it specifically accounts for both the duration and magnitude of sound.

Community noise guidelines are specified by several agencies including the Environmental Protection Agency (EPA), the Federal Highway Administration (FHWA), and the Department of Housing and Urban Development (HUD). These agencies have established certain criteria for acceptable noise levels for various land uses and development types. A review of the FHWA guidelines which are summarized in Table No. 2 indicate that for Activity Category B, an exterior noise level of 67 dBA, expressed in terms of Leq, is recommended.

#### c) <u>Existing Noise Levels</u> (Figure No. 7)

A detailed noise measurement survey was conducted at several measurement locations (receptors) in the surrounding area to provide a representative sampling of existing noise levels. The receptors sampled included 4 locations which are identified on Figure No. 7.

The noise measurements were taken to identify existing noise levels and to develop the relationship between noise levels and existing traffic volumes. Noise measurements were taken with a Bruel & Kjaer Precision Integrating Sound Level Meter Type 2230, which was calibrated prior to actual measurements utilizing a standard acoustical calibrator. The actual measurements and calibration procedures followed were in conformance with American National Standards Institute (ANSI) standards.

During measurements, the microphones were located without obstruction from stationary objects at a height of 5 feet above ground surface. Measurements taken included an L-equivalent level (Leq) and L-maximum (Lmax) for each location. The measurements were taken over a three day period including February 2, 7 and 8 and were taken during different times of the day.

Existing noise levels represented in terms of Leq during peak hours ranged from 55 to 72 dBA range with the higher levels observed at receptors located closest to River Road. The maximum levels observed during daytime periods range from the low 80's to mid 90 dBA range. The highest Leq levels observed were at Receptor R1 which is located immediately adjacent to River Road between the site and the Belcher Oil Facility.

#### d) Noise Analysis Methodology

In order to evaluate the potential noise impacts, two criteria are generally utilized:

- 1. Will the predicted noise level exceed the recommended quidelines?
- Will there be a significant increase above the existing levels?

As indicated previously, community noise guidelines are published by several federal agencies including the Environmental Protection Agency (EPA), the Federal Highway Administration (FHWA) and the Department of Housing and Urban Development (HUD). These guidelines establish recommended design noise levels for specific land uses. With respect to roadway traffic noise, the FHWA has established certain guidelines for various land use categories.

An Leq of 72 dBA is the recommended design level for commercial areas and a Leq of 67 dBA is recommended for residential areas. Table No. 2 summarizes the design levels/land use relationships for various land use categories and Table No. 3 summarizes the relationship between noise increases and significance of impacts.

With respect to the second criteria, it is important to note that in order to produce a 3 dBA increase in the sound pressure level, a doubling of the noise source must occur. Also, for sound propagation in air, as distance doubles from the sound source, the amplitude drops by half which is a drop of 6 dBA. This is only true when there is no reflection in the sound path. More typically, actual reductions of between 4 and 5 dBA for doubling of distance are encountered under typical field conditions.

#### e) Future Noise Levels

To evaluate potential noise impacts with respect to the proposed operation, existing noise levels were correlated to the existing traffic volumes and then projected to represent future To account for the site specific noise levels, reference was made to measurements taken of the mobile reclamation unit located at your office in Newburgh. The Lea readings with the equipment operational varied from 75 to 95 dBA at a reference distance of 15-feet. These levels were then modeled to account for the distance separation from surrounding receptors. The burner unit is proposed to be placed approximately 300' east of River Road. Adjusting for the sound propagation, at River Road, the resulting levels will be some 20 to 25 dBA lower or in the 60 to 70 dBA. These levels are in the same range as current levels due to existing traffic noise levels and therefore, any increases at adjacent receptors will be in a range which will not be critical in comparison to existing ambient levels.

#### f) Construction Noise Impacts

As indicated previously, there will be a temporary increase in noise levels due to construction activities on the site during the development of the property. In order to identify noise impacts during this phase, specific data is required, including an identification of the type of construction equipment which

will be used on the job site during construction. It can be anticipated that the types of equipment used on the site will be used for the following purposes:

- o Earth work and excavation
- o Removing of vegetation
- o Paving and construction of the driveways

For these activities the types of construction equipment generally utilized would include bulldozers, compressors, front end loaders, dump trucks and pavers. At a reference distance of 50 feet, the above equipment generally has levels ranging from 70 to 95 decibels (A-weighted dBA).

To limit any potential impact on adjacent residential areas, the hours of construction should be restricted to daytime hours.

# 4. Summary And Conclusion

Based on the results of the field measurements and projections of traffic noise levels in the surrounding area, the proposed Soil Remediation operation will result in increases in traffic and noise levels in the area, however, the additional traffic volumes can be processed at acceptable Levels of Service and the current ambient levels resulting from background traffic noise generally offset the significance of the noise level increases associated with the equipment operation.

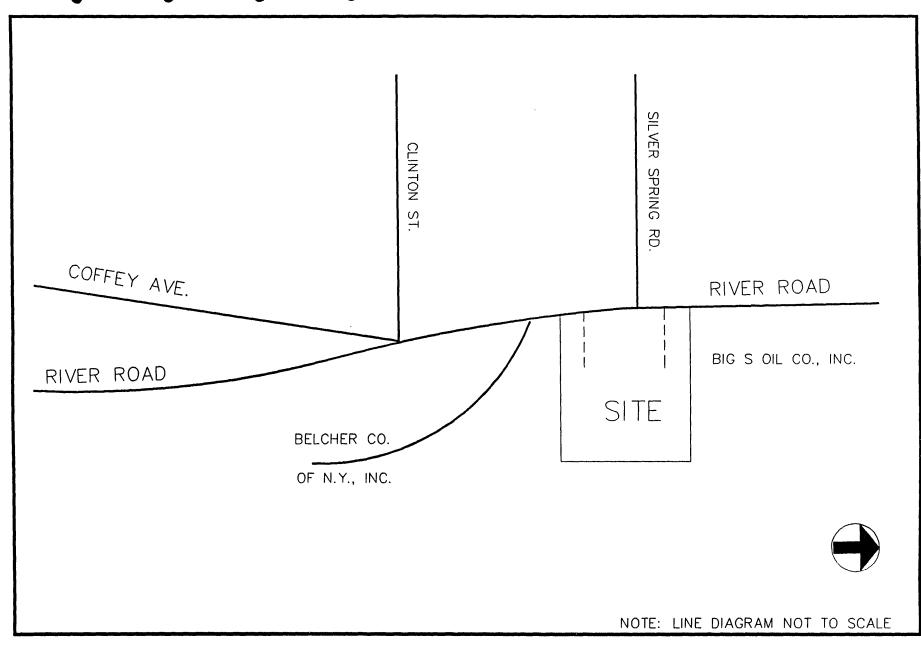
Sincerely,
JOHN COLLINS ENGINEERS, P.C.

Thilip Greaty, P.E.

dwp691.2ewas

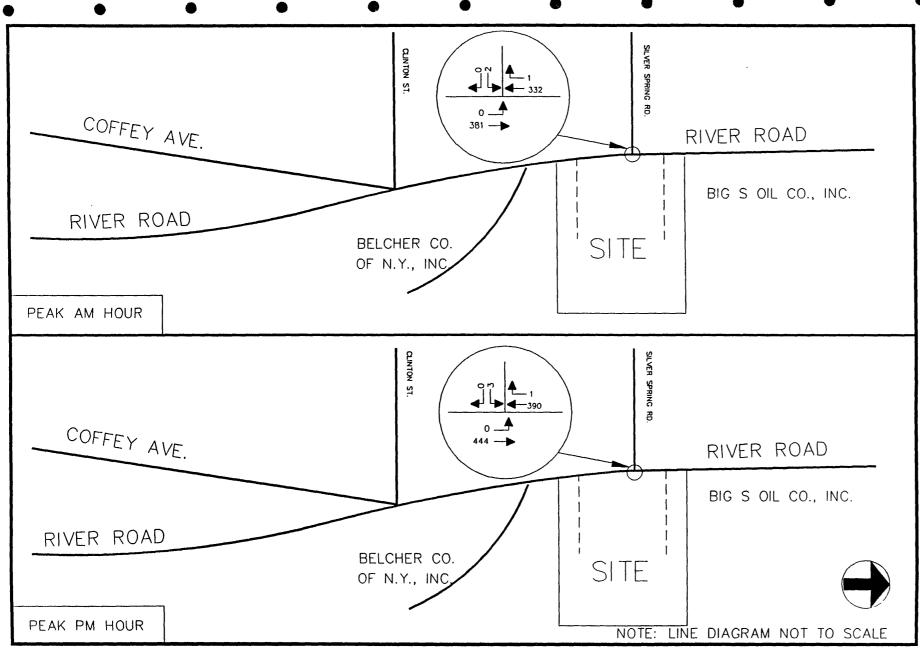
APPENDIX "A"

FIGURES



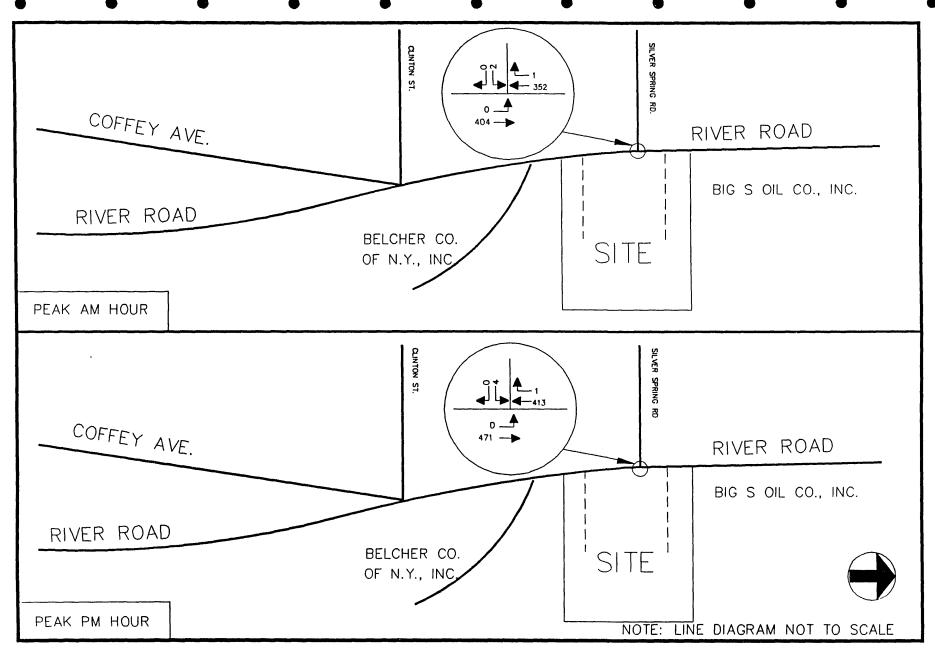
JOHN COLLINS ENGINEERS, P.C. &HAWTHORNE, NEW YORK

SITE LOCATION



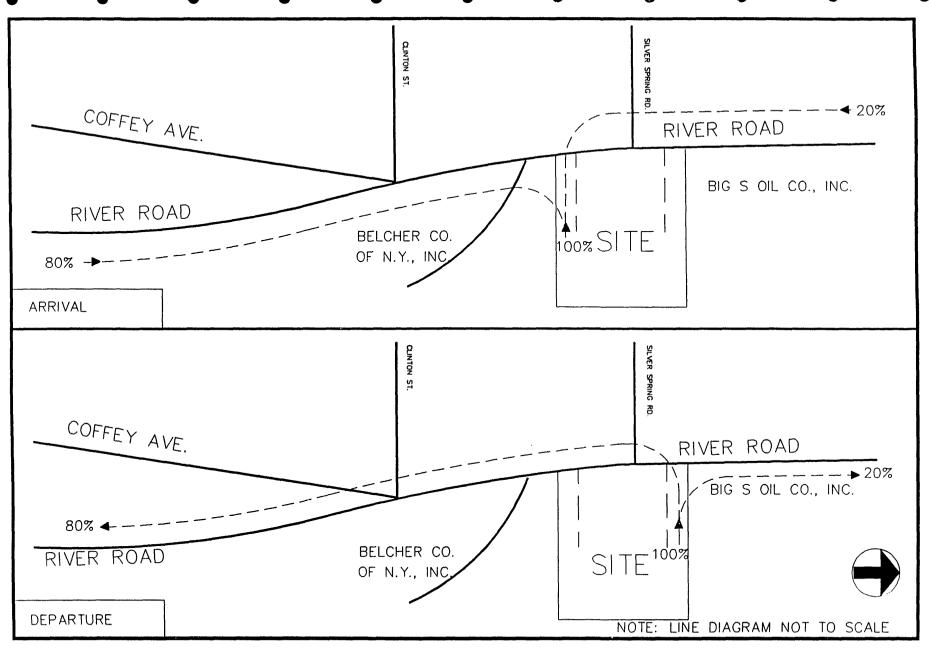
JOHN COLLINS ENGINEERS, P.C. HAWTHORNE, NEW YORK

1994 EXISTING TRAFFIC VOLUMES PEAK AM/PM HOUR



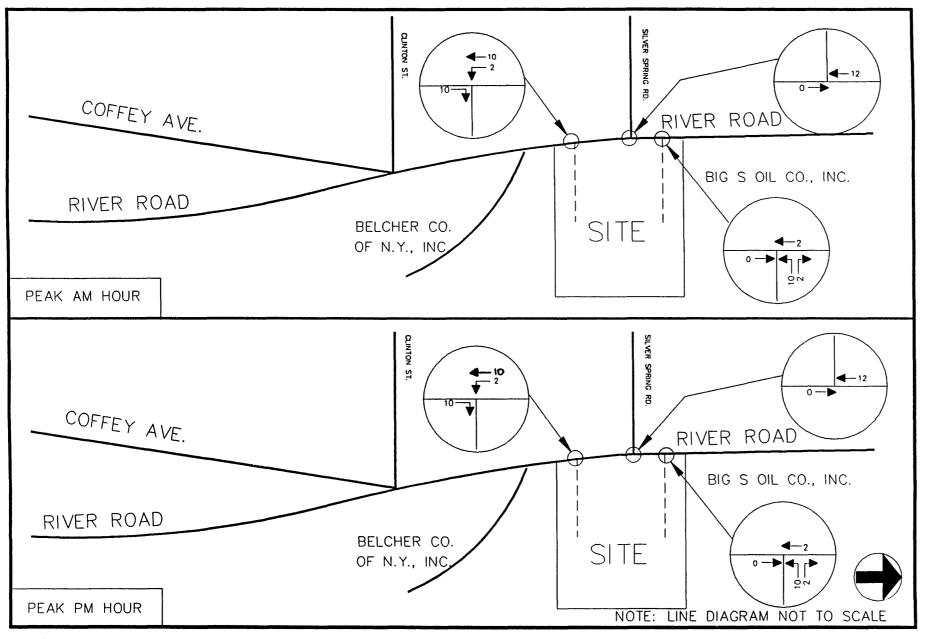
JOHN COLLINS ENGINEERS, P.C. HAWTHORNE, NEW YORK

2000 NO BUILD TRAFFIC VOLUMES PEAK AM/PM HOUR



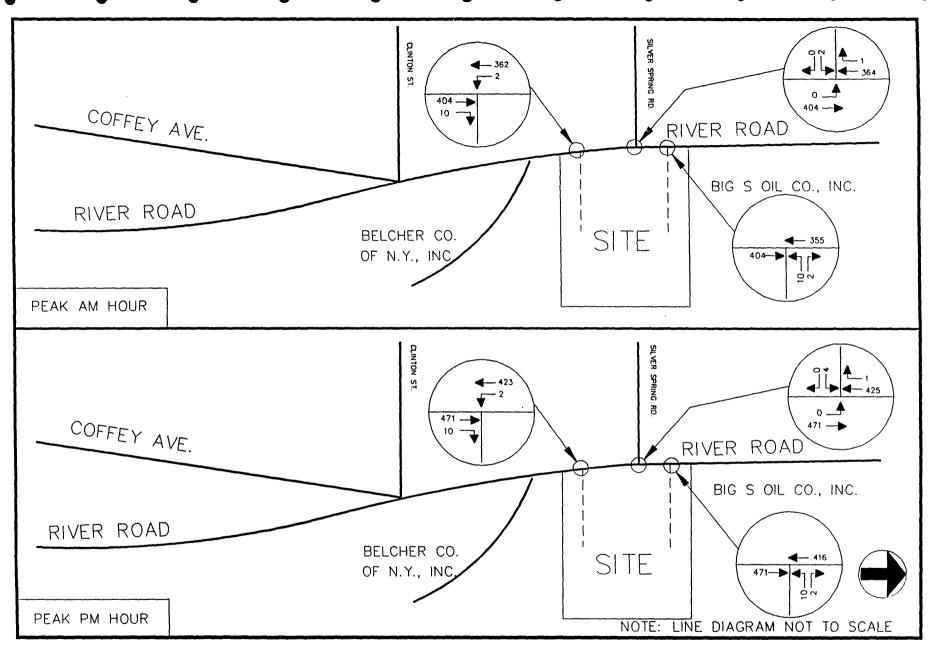
JOHN COLLINS ENGINEERS, P.C. HAWTHORNE, NEW YORK

ARRIVAL DEPARTURE DISTRIBUTION



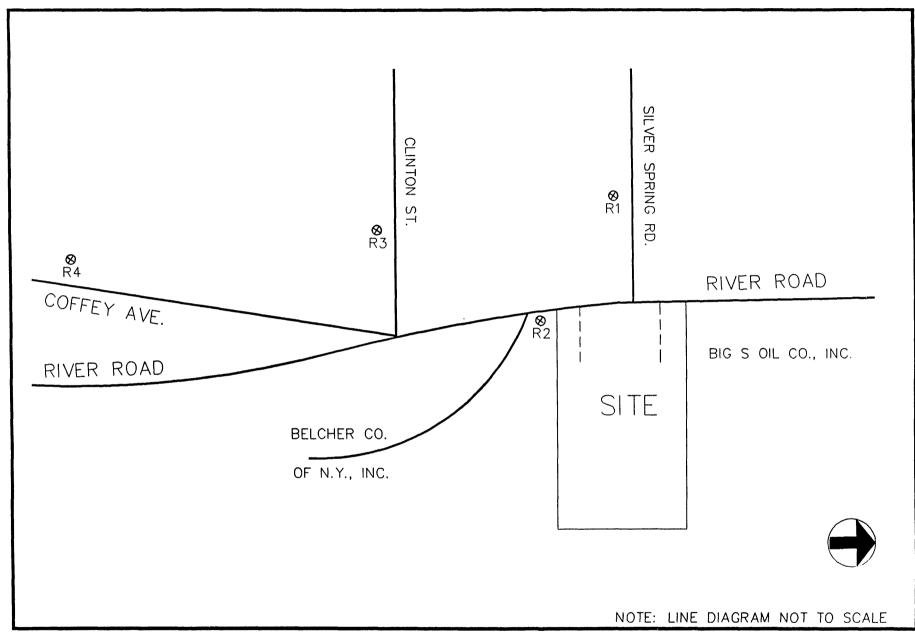
JOHN COLLINS ENGINEERS, P.C. HAWTHORNE, NEW YORK

SITE GENERATED TRAFFIC VOLUMES PEAK AM/PM HOUR



JOHN COLLINS ENGINEERS, P.C. HAWTHORNE, NEW YORK

2000 BUILD TRAFFIC VOLUMES PEAK AM/PM HOUR



JOHN COLLINS ENGINEERS, P.C. HAWTHORNE, NEW YORK

NOISE RECEPTOR LOCATIONS

APPENDIX "B"

TABLES

JOB NO. 691 FEBRUARY, 1994

TABLE NO. 1

RANGE OF TYPICAL ENVIRONMENTAL NOISE LEVELS\*

SITUATION	NOISE LEVELS (DBA)
Discotheque	110
Jet Flyover at 1000 ft.	105
Inside Subway Train	98
Gas Lawn Mower at 3 ft.	95
Shouting at 3 ft.	78
Gas Lawn Mower at 100 ft.	70
Normal Speech at 3 ft.	65
Quiet Urban Daytime	50
Library	35
Optimum Sleeping Level	35 or less
Threshold of Hearing	5

dMM.691.NT1

<sup>\*</sup>It should be noted that increases in noise levels less than 2-3 dBA are not noticeable by humans.

# TABLE NO. 2 FHWA DESIGN NOISE LEVELS<sup>1</sup>

Activity	Design Noise	e Level (dBA)	Description of Activity
Category	L <sub>eq</sub>	L <sub>10</sub>	Category <sup>2</sup>
A	57	60	Tracts where serenity and
	(exterior)	(exterior)	quiet are especially important.
В	67	70	Residences, motels, schools,
	(exterior)	(exterior)	churches, hospitals, etc.
С	72	75	Developed lands other than
	(exterior)	(exterior)	those above.
Ε	52	55	Building interiors.
	(interior)	(interior)	

- 1- Source: Federal Highway Administration, "Procedures for the Abatement of Highway Traffic Noise and Construction Noise", Federal Register 41 (80), Washington, D.C.
- Either L<sub>eq</sub> or L<sub>10</sub> can be used not both and an hourly measure applies. The land-use descriptions are further qualified in the reference, and a category D is also reserved for undeveloped land. The interior noise levels may be established by subtracting from outdoor levels the attenuation expected of the particular wall and window constructions involved.

# TABLE NO. 3

# SUBJECTIVE REACTION TO A CHANGE IN NOISE LEVEL

CHANGE IN NOISE LEVEL (dBA)	SUBJECTIVE REACTION
1	IMPERCEPTIBLE TO HUMAN RESPONSE
3	PERCEPTIBLE CHANGE
10	DOUBLING OR HALVING IN LOUDNESS

D.691.T3

APPENDIX "C"

CAPACITY ANALYSIS

1985 HCM: U	NSIGNALIZ:	ED INTERS	SECTIONS	******	Page-1 ******
IDENTIFYING	INFORMATI	on			
AVERAGE RUNN	ING SPEED	, MAJOR S	STREET	40	
PEAK HOUR FA	CTOR	• • • • • • •	• • • • • • •	.9	
AREA POPULAT	ION	• • • • • • •	• • • • • • •	150000	
NAME OF THE	EAST/WEST	STREET.	• • • • • • •	SITE DRIVEWAY SOUTH	
NAME OF THE	NORTH/SOU	TH STREE	r	RIVER ROAD	
NAME OF THE	ANALYST	• • • • • • •		NAC	
DATE OF THE	ANALYSIS	(mm/dd/y	у)	02-22-1994	
TIME PERIOD	ANALYZED.	• • • • • • •	• • • • • • •	PEAK AM HOUR	
OTHER INFORM	ATION	2000 BU	ILD TRAF	FIC VOLUMES	
INTERSECTION	TYPE AND	CONTROL			
INTERSECTION	TYPE: T-	INTERSEC	TION		
MAJOR STREET	DIRECTIO	N: NORTH	/SOUTH		
CONTROL TYPE	WESTBOUN	D: STOP	SIGN		
TRAFFIC VOLU	MES				
E	B WB	NB	SB		
LEFT -	- 1	0	2		
THRU -	<u> </u>	404	362		
RIGHT -	·- 0	10	1		
NUMBER OF LA					

NB

1

SB

1

WB

1

EB

LANES

IDENTIFYING INFORMATION

		CENT RI ADE	GHT TURN ANGLE	CURB RADIU	US (ft) TURNS	ACCELER FOR R	RATION LANE
EASTBOUND					-		
WESTBOUND	0.	.00	90	20	0		N
NORTHBOUND	2.	.00	90	20	D		N
SOUTHBOUND	-2.	.00	90	20	0		N
VEHICLE COM	MPOSI	TION					
	8	SU TRUC		COMBINATION VEHICLES	% MOTO	RCYCLES	
EASTBOUND							
WESTBOUND		0		100		0	
NORTHBOUND		3		6		0	
SOUTHBOUND		3		6		0	
CRITICAL GA	APS						
		TABULAR (Table	VALUES 10-2)	ADJUSTED VALUE	SIGHT ADJUST	DIST. MENT	FINAL CRITICAL GAP
MINOR RIGHT	rs WB	5	.90	5.90	0.0	0	5.90
MAJOR LEFTS	S SB	5	.20	5.20	0.0	0	5.20
MINOR LEFTS	S WB	7	.10	7.10	0.0	0	7.10

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE v(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY C (pcph) M		SHAR CAPA C (p SH		c	RESERV CAPACI = C R SI	TY - v	L.	os 
MINOR STREET											
WB LEFT	2	237	236	>	226	236	>	224	234		С
RIGHT	0	598	598	>	236	598	>	234	598	>C >	A
MAJOR STREET											
SB LEFT	2	710	710			710			708		A

# IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

IDENTIFY	ING INFO	RMATION				
AVERAGE	RUNNING :	SPEED,	MAJOR S	TREET 4	0	
PEAK HOU	R FACTOR		• • • • • •		9	
AREA POP	ULATION.		• • • • • •	19	50000	
NAME OF	THE EAST,	/WEST S	TREET	si	TE DRIVEWAY SOUTH	
NAME OF	THE NORT	H/SOUTH	STREET	RI	VER ROAD	
NAME OF	THE ANAL	YST	• • • • • •	NA	c	
DATE OF	THE ANAL	YSIS (m	m/dd/yy	) 02	-22-1994	
TIME PER	IOD ANAL	YZED		PE	AK PM HOUR	
OTHER IN	FORMATIO	N 2	000 BUI	LD TRAFFIC	VOLUMES	
INTERSEC	TION TYP	E AND C	ONTROL			
TYMEDORO	TON MYD	D. M. TN	mpncpor	ITON		
INTERSEC				· _		
MAJOR ST			•			
CONTROL	TYPE WES	TROUND:	STOP S	IGN		
TRAFFIC	VOLUMES					
	EB	WB	NB	SB		
LEFT		0		~~~		
THRU		0	471	423		
RIGHT		1	10	1		
NUMBER O	F LANES					
	_	_	***	***	an.	
LANES	E	B 	WB 1	NB 1	SB  1	

,

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND				## ## ## ## ## ## ## ## ## ## ## ## ##
WESTBOUND	0.00	90	20	N
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N
VEHICLE CO	MPOSITION			

	% SU TRUCKS AND RV'S	<pre>% COMBINATION VEHICLES</pre>	% MOTORCYCLES
EASTBOUND			
WESTBOUND	0	100	0
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0
CRITICAL GAP	s		

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS WB	5.90	5.90	0.00	5.90
MAJOR LEFTS SB	5.20	5.20	0.00	5.20
MINOR LEFTS WB	7.10	7.10	0.00	7.10

#### IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE V(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY c (pcph) M		SHAR CAPA C (p SH		c	RESERV CAPACI = C R SI	TTY - <b>v</b>	L(	os 
MINOR STREET											
WB LEFT	0	184	183	>	545	183	>	543	183	> >A	D
RIGHT	2	545	545	>	545	545	>	243	543	> A	A
MAJOR STREET											
SB LEFT	2	651	651			651			649		A

#### IDENTIFYING INFORMATION

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY SOUTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

1985 HCM:					*****	Page-1
IDENTIFYI	NG INFO	RMATIO			م — ت م م ع بي م م م م م م م م	
AVERAGE R	UNNING	SPEED,	MAJOR S	TREET 4	0	
PEAK HOUR	FACTOR	• • • • • •			9	
AREA POPU	LATION.				.50000	
NAME OF T	HE EAST	/WEST	STREET	si	LVER SPRING	ROAD
NAME OF T	HE NORT	H/SOUTI	H STREET	' RI	VER ROAD	
NAME OF T	HE ANAL	YST	• • • • • • •	NA	C	
DATE OF T	HE ANAL	YSIS (1	mm/dd/yy	·) 02	-22-1994	
TIME PERIO	OD ANAL	YZED	• • • • • • •	PI	AK AM HOUR	
OTHER INFO	ORMATIO	N	1994 EXI	STING TRAF	FIC VOLUMES	
INTERSECT	ION TYP	E AND	CONTROL			
INTERSECT:	ION TYP	E: T-I	NTERSECT	ION		
MAJOR STR	EET DIR	ECTION	: NORTH/	SOUTH		
CONTROL T			·			
TRAFFIC V	OLUMES					
	EB	WB	NB	SB		
LEFT	2		0	0		
THRU	0		381	332		
RIGHT	0		0	1		
NUMBER OF			^			
	E	В	WB	NB	SB	
LANES	~ ~ ~ ~	1		1	1	

ı

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND			ess été cus	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N
VEHICLE CO	MPOSITION			

EASTBOUND	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES 0
WESTBOUND			40 40
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS EB	5.90	5.90	0.00	5.90
MAJOR LEFTS NB	5.20	5.20	0.00	5.20
MINOR LEFTS EB	7.10	7.10	0.00	7.10

CRITICAL GAPS

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS.... 02-22-1994; PEAK AM HOUR
OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE v(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY c (pcph) M		SHAR CAPAC C (po		c	RESERV CAPACI = C R SI	TY - V	L(	os 
MINOR STREET											
EB LEFT	2	263	263	>	263	263	>	260	260	> >C	С
RIGHT	0	664	664	>	263	664	>	200	664	-	A
MAJOR STREET											
NB LEFT	0	785	785			785			785		A

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR
OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

1985 HCM: UN				*****	Page-1
IDENTIFYING I	NFORMATIO				~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~
AVERAGE RUNNI	NG SPEED,	MAJOR S	TREET 4	0	
PEAK HOUR FAC	TOR			9	
AREA POPULATI	ON		1	50000	
NAME OF THE E	AST/WEST	STREET	sı	LVER SPRING ROAL	D
NAME OF THE N	ORTH/SOUT	H STREET	RI	VER ROAD	
NAME OF THE A	NALYST		NA	С	
DATE OF THE A	NALYSIS (1	nm/dd/yy	) 02	-22-1994	
TIME PERIOD A	NALYZED		PE	AK PM HOUR	
OTHER INFORMA	TION	1994 EXI	STING TRAF	FIC VOLUMES	
INTERSECTION	TYPE AND				
INTERSECTION	TYPE: T-I	NTERSECT	NOI		
MAJOR STREET	DIRECTION	: NORTH/	SOUTH		
CONTROL TYPE	EASTBOUND	STOP S	IGN		
TRAFFIC VOLUM	IES				
EI	3 WB	NB	SB		
LEFT	3	0	0		
THRU	0	444	390		
RIGHT	0	o	1		
NUMBER OF LAN	IES				
	EB	WB	NB	SB	
LANES	1		1	1	

.

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND	0.00	90	20	N
WESTBOUND			w en en	-
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N
VEHICLE CO	MPOSITION			

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND	3	2	0
WESTBOUND			
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0
CRITICAL GAP	S		

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS EI	5.90	5.90	0.00	5.90
MAJOR LEFTS	5.20	5.20	0.00	5.20
MINOR LEFTS EI	3 7.10	7.10	0.00	7.10

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR
OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE V(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY c (pcph) M	ENT SHARED CAPACITY		c	RESER CAPAC = C R S	TY - V	L(	os 	
MINOR STREET											
EB LEFT	3	211	211	>	211	211	>	208	208	> >C	С
RIGHT	0	612	612	>	211	612	>	208	612	>	A
MAJOR STREET											
NB LEFT	0	730	730			730			730		A

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR OTHER INFORMATION.... 1994 EXISTING TRAFFIC VOLUMES

1985 HCM:	UNSIGN	ALIZED	INTERS	ECTIONS	Page-1
IDENTIFYING	INFOR	MATION		~~~~~	
AVERAGE RUN	NING S	PEED,	MAJOR S	TREET	40
PEAK HOUR F	ACTOR.			• • • • • •	.9
AREA POPULA	TION		• • • • • •	• • • • • •	150000
NAME OF THE	EAST/	WEST S	TREET	• • • • • •	SILVER SPRING ROAD
NAME OF THE	NORTH	/SOUTH	STREET		RIVER ROAD
NAME OF THE	ANALY	ST			NAC
DATE OF THE	ANAL	sis (m	um/dd/yy	)	02-22-1994
TIME PERIOD	ANAL	ZED			PEAK AM HOUR
OTHER INFOR	MATION	1 2	ои ооо	BUILD T	RAFFIC VOLUMES
INTERSECTIO	N TYPI	AND C	CONTROL		
INTERSECTIO	N TYPI	E: T-IN	TERSECT	ION	
MAJOR STREE					
CONTROL TYP			•		
				2011	
TRAFFIC VOL	UMES				
	EB	WB	NB	SB	
LEFT	2		0	0	
THRU	0		404	352	

## NUMBER OF LANES

RIGHT 0

	EB	WB	NB	SB
LANES	1	-	1	1

0 1

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIU	JS (ft) TURNS	ACCELE FOR R	RATION LANE IGHT TURNS
EASTBOUND	0.00	90	20	)		N
WESTBOUND				-		_
NORTHBOUND	2.00	90	20	)		N
SOUTHBOUND	-2.00	90	20	)		N
VEHICLE CO	MPOSITIO	N				
			OMBINATION EHICLES	% MOTO	RCYCLES	
EASTBOUND		3	2		0	
WESTBOUND	-					
NORTHBOUND		3	6		0	
SOUTHBOUND		3	6		0	
CRITICAL G	APS					
	TAB (T	ULAR VALUES able 10-2)	ADJUSTED VALUE	SIGHT ADJUST	DIST. MENT	FINAL CRITICAL GAP
MINOR RIGH		5.90	5.90	0.0	00	5.90
MAJOR LEFT	S NB	5.20	5.20	0.0	0	5.20
MINOR LEFT	S EB	7.10	7.10	0.0	0	7.10
IDENTIFYIN	G INFORM	ATION				

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS.... 02-22-1994; PEAK AM HOUR
OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE v(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY C (pcph) M		SHAR CAPA C (p SH			RESERVE CAPACITY C = C - V R SH			
MINOR STREET											
EB LEFT	2	244	244	>	244	244	>	241	241	> >C	С
RIGHT	0	644	644	>	244	644	>	241	644	>	A
MAJOR STREET											
NB LEFT	0	764	764			764			764		A

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR
OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

1985 HCM: UNSIGNALIZED INTERSECTIONS Page-
IDENTIFYING INFORMATION
AVERAGE RUNNING SPEED, MAJOR STREET 40
PEAK HOUR FACTOR
AREA POPULATION
NAME OF THE EAST/WEST STREET SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET RIVER ROAD
NAME OF THE ANALYST NAC
DATE OF THE ANALYSIS (mm/dd/yy) 02-22-1994
TIME PERIOD ANALYZED PEAK PM HOUR
OTHER INFORMATION 2000 NO BUILD TRAFFIC VOLUMES
INTERSECTION TYPE AND CONTROL
INTERSECTION TYPE: T-INTERSECTION
MAJOR STREET DIRECTION: NORTH/SOUTH
CONTROL TYPE EASTBOUND: STOP SIGN
TRAFFIC VOLUMES
EB WB NB SB
LEFT 4 0 0
THRU 0 471 413
RIGHT 0 0 1

EB WB NB SB
1 -- 1 1

NUMBER OF LANES

LANES

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIU FOR RIGHT	S (ft) TURNS	ACCELE FOR R	RATION LANE IGHT TURNS	
EASTBOUND	0.00		20	20		N	
WESTBOUND						<b>-</b> .	
NORTHBOUND	2.00	90	20			N	
SOUTHBOUND	-2.00	90	20			N	
VEHICLE CON	POSITIO	N					
	% SU AND	TRUCKS % C			RCYCLES		
EASTBOUND		3	2		0		
WESTBOUND				-			
NORTHBOUND		3	6		0		
SOUTHBOUND		3	6		0		
CRITICAL GA	APS						
	TAB (T	ULAR VALUES able 10-2)	ADJUSTED VALUE	SIGHT	MENT	FINAL CRITICAL GA	
MINOR RIGHT	TS EB	5.90	5.90	0.0		5.90	
MAJOR LEFTS	NB	5.20	5.20	0.0	0	5.20	
MINOR LEFTS	EB	7.10	7.10	0.0	0	7.10	

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR
OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE V(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY C (pcph) M		SHARED CAPACITY C (pcph) SH		c	RESERV CAPACI = C R SI	YTI		
MINOR STREET											
EB LEFT	5	190	190	>	190	190	>	186	186	> >D	D
RIGHT	0	594	594	>	190	594	>	190	594	>	A
MAJOR STREET											
NB LEFT	0	710	710			710			710		A

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR
OTHER INFORMATION.... 2000 NO BUILD TRAFFIC VOLUMES

1985 HCM: UNSIGNALIZED INTERSECTIONS Page ************************************
IDENTIFYING INFORMATION
AVERAGE RUNNING SPEED, MAJOR STREET 40
PEAK HOUR FACTOR9
AREA POPULATION
NAME OF THE EAST/WEST STREET SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET RIVER ROAD
NAME OF THE ANALYST NAC
DATE OF THE ANALYSIS (mm/dd/yy) 02-22-1994
TIME PERIOD ANALYZED PEAK AM HOUR
OTHER INFORMATION 2000 BUILD TRAFFIC VOLUMES
INTERSECTION TYPE AND CONTROL
INTERSECTION TYPE: T-INTERSECTION
MAJOR STREET DIRECTION: NORTH/SOUTH
CONTROL TYPE EASTBOUND: STOP SIGN
TRAFFIC VOLUMES
EB WB NB SB
LEFT 2 0 0
THRU 0 404 364
RIGHT 0 0 1

SB

1

NB

1

NUMBER OF LANES

LANES

1

	PERCENT GRADE	PERCENT RIGHT TURN GRADE ANGLE		US (ft) TURNS	ACCELERATION LANE FOR RIGHT TURNS		
EASTBOUND	0.00	90	20	)	N		
WESTBOUND				-	-		
NORTHBOUND	2.00	90	20	ס		N	
SOUTHBOUND	-2.00	90	20	ס		N	
VEHICLE COM	(POSITION						
	% SU T	TRUCKS % CC	MBINATION CHICLES	% MOTO	RCYCLES		
EASTBOUND		3	2		0		
WESTBOUND				-			
NORTHBOUND		3	6		0		
SOUTHBOUND		3	6		0		
CRITICAL GA	APS						
	TABU TABU	JLAR VALUES able 10-2)	ADJUSTED VALUE	SIGHT		FINAL CRITICAL GA	
MINOR RIGHT		5.90	5.90			5.90	
MAJOR LEFTS		5.20	5.20	0.0	00	5.20	
MINOR LEFTS	EB	7.10	7.10	0.0	00	7.10	
IDENTIFYING	G INFORM	ATION					

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE v(pcph)	POTEN- TIAL CAPACITY c (pcph) p	IAL MOVEMENT APACITY CAPACITY (pcph) c (pcph)		SHARED CAPACITY C (pcph) SH			RESERVE CAPACITY C = C - V R SH			
MINOR STREET											
EB LEFT	2	239	239	>	239	239	>	236	236		С
RIGHT	0	632	632	>	239	632	>	230	632	>C >	A
MAJOR STREET											
NB LEFT	0	753	753			753			753		A

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR
OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

1985 HCM: *****					*****	****	Page-1 ******
IDENTIFYIN	G INFO	RMATION	V				
AVERAGE RU	NNING	SPEED,	MAJOR S	TREET	40		
PEAK HOUR	FACTOR			• • • • • •	.9		
AREA POPUL	ATION.				150000		
NAME OF TH	E EAST	/WEST S	STREET	• • • • • • •	SILVER SPI	RING ROAD	
NAME OF TH	E NORT	H/SOUTH	H STREET	· · · · · · · ·	RIVER ROAL		
NAME OF TH	E ANAL	YST		• • • • • •	NAC		
DATE OF TH	E ANAL	YSIS (1	nm/dd/yy	·)	02-22-1994	1	
TIME PERIO	D ANAL	YZED		• • • • • •	PEAK PM HO	OUR	
OTHER INFO	RMATIO	N 2	2000 BUI	LD TRAF	FIC VOLUMES	5	
INTERSECTI	ON TYP	E AND	CONTROL				
INTERSECTI	ON TYP	E: T-II	NTERSECT	'ION			
MAJOR STRE	ET DIR	ECTION	: NORTH/	SOUTH			
CONTROL TY	PE EAS	TBOUND	: STOP S	IGN			
MDARRIC VO	TIMEC						
TRAFFIC VO	LUMES						
	EB	WB	NB	SB			
LEFT	4		0	0			
THRU	0		471	425			
RIGHT	0		0	1			
NUMBER OF							
	_	:: :B	wb	NB	SB	, ,,	
LANES		1		1	1		

.

	PERCENT GRADE	RIGHT TUR	N CURB RADIU FOR RIGHT	S (ft) TURNS	ACCELER FOR RI	ATION LANE	
EASTBOUND	0.00	90	20		N		
WESTBOUND		*****				_	
NORTHBOUND	2.00	90	20			N	
SOUTHBOUND	-2.00	90	20	<b>O</b>		N	
VEHICLE CON	MPOSITIO	N					
			COMBINATION VEHICLES	% MOTOR	RCYCLES		
EASTBOUND		3	2		0		
WESTBOUND	-		من بند من				
NORTHBOUND		3	6		0		
SOUTHBOUND		3	6		0		
CRITICAL GA	APS						
	TAI	BULAR VALUES Cable 10-2)	ADJUSTED VALUE	SIGHT I		FINAL CRITICAL GAP	
MINOR RIGHT	rs EB	5.90	5.90	0.00	)	5.90	
MAJOR LEFTS	S NB	5.20	5.20	0.00	)	5.20	
MINOR LEFT	S EB	7.10	7.10	0.00	)	7.10	

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR
OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE v(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY c (pcph) M	SHARED CAPACITY c (pcph) SH			RESERVE CAPACITY C = C - V R SH			LC	)S 
MINOR STREET											
EB LEFT	5	185	185	>	105	185	>	101	181	> >D	D
RIGHT	0	585	585	>	185	<b>58</b> 5	>	181	585	>	A
MAJOR STREET											
NB LEFT	0	699	699			699			699		A

NAME OF THE EAST/WEST STREET..... SILVER SPRING ROAD
NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD
DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR
OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

1985 HCM: UNSIGNALIZED INTERSECTIONS Page-
IDENTIFYING INFORMATION
AVERAGE RUNNING SPEED, MAJOR STREET 40
PEAK HOUR FACTOR
AREA POPULATION
NAME OF THE EAST/WEST STREET SITE DRIVEWAY NORTH
NAME OF THE NORTH/SOUTH STREET RIVER ROAD
NAME OF THE ANALYST NAC
DATE OF THE ANALYSIS (mm/dd/yy) 02-22-1994
TIME PERIOD ANALYZED PEAK AM HOUR
OTHER INFORMATION 2000 BUILD TRAFFIC VOLUMES
INTERSECTION TYPE AND CONTROL
INTERSECTION TYPE: T-INTERSECTION
MAJOR STREET DIRECTION: NORTH/SOUTH
CONTROL TYPE WESTBOUND: STOP SIGN
CONTROL TIPE WESTBOOKS. STOP SIGN
TRAFFIC VOLUMES
EB WB NB SB
LEFT 10 0 0
THRU 0 404 355
RIGHT 2 0 0

EB WB NB SB

NUMBER OF LANES

LANES

	PERCE	ENT RIGHT I	URN	CURB RADI	US (ft) TURNS	ACCELERATION LANE FOR RIGHT TURNS			
EASTBOUND					_				
WESTBOUND	0.0	90	)	2	0		N		
NORTHBOUND	2.0	90	1	2	0		N		
SOUTHBOUND	-2.0	00 90	)	2	0		N		
VEHICLE CO	MPOSIT	TION							
		. —				*			
	% S	SU TRUCKS AND RV'S	% COM VEH	BINATION ICLES	% MOTO	RCYCLES			
EASTBOUND									
WESTBOUND		0		100		0			
NORTHBOUND		3		6		0			
SOUTHBOUND		3		6		0			
CRITICAL G	APS								
		-							
	7	TABULAR VALU (Table 10-2	ES :)	ADJUSTED VALUE	SIGHT ADJUST	DIST. MENT	FINAL CRITICAL	GAP	
MINOR RIGHT									
	WB	5.90		5.90	0.0	0	5.90		
MAJOR LEFT	S SB	5.20		5.20	0.0	0	5.20		
MINOR LEFT	S WB	7.10		7.10	0.0	0	7.10		

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS WB	5.90	5.90	0.00	5.90
MAJOR LEFTS SB	5.20	5.20	0.00	5.20
MINOR LEFTS WB	7.10	7.10	0.00	7.10

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE V(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY C (pcph) M		SHAR CAPA C (p SH		c 	RESERY CAPAC: = C R SI	TY - v	L.	os 
MINOR STREET											
WB LEFT	22	243	243	>	270	243	>	243	221	> >C	С
RIGHT	4	602	602	>	270	602	>	243	597	>	A
MAJOR STREET											
SB LEFT	0	719	719			719			719		A

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK AM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

1985 HCM: UNSIGNALIZED INTERSECTIONS	Page-1
IDENTIFYING INFORMATION	
AVERAGE RUNNING SPEED, MAJOR STREET 40	
PEAK HOUR FACTOR	
AREA POPULATION	
NAME OF THE EAST/WEST STREET SITE DRIVEWAY N	ORTH
NAME OF THE NORTH/SOUTH STREET RIVER ROAD	
NAME OF THE ANALYST NAC	
DATE OF THE ANALYSIS (mm/dd/yy) 02-22-1994	
TIME PERIOD ANALYZED PEAK PM HOUR	
OTHER INFORMATION 2000 BUILD TRAFFIC VOLUMES	
INTERSECTION TYPE AND CONTROL	
INTERSECTION TYPE: T-INTERSECTION	
MAJOR STREET DIRECTION: NORTH/SOUTH	
CONTROL TYPE WESTBOUND: STOP SIGN	
TRAFFIC VOLUMES	
EB WB NB SB	
LEFT 10 0 0	
THRU 0 471 416	
RIGHT 2 0 0	
NUMBER OF LANES	
EB WB NB SB	
LANES 1 1 1	

	PERCENT GRADE	RIGHT TURN ANGLE	CURB RADIUS (ft) FOR RIGHT TURNS	ACCELERATION LANE FOR RIGHT TURNS
EASTBOUND				
WESTBOUND	0.00	90	20	N
NORTHBOUND	2.00	90	20	N
SOUTHBOUND	-2.00	90	20	N
VEHICLE CO	MPOSITION			

	% SU TRUCKS AND RV'S	% COMBINATION VEHICLES	% MOTORCYCLES
EASTBOUND			
WESTBOUND	0	100	0
NORTHBOUND	3	6	0
SOUTHBOUND	3	6	0
CRITICAL GAP	s		

	TABULAR VALUES (Table 10-2)	ADJUSTED VALUE	SIGHT DIST. ADJUSTMENT	FINAL CRITICAL GAP
MINOR RIGHTS	5.90	5.90	0.00	5.90
MAJOR LEFTS S	B 5.20	5.20	0.00	5.20
MINOR LEFTS W	B 7.10	7.10	0.00	7.10

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

MOVEMENT	FLOW- RATE v(pcph)	POTEN- TIAL CAPACITY c (pcph) p	ACTUAL MOVEMENT CAPACITY C (pcph) M		SHAR CAPA C (p SH			RESER CAPAC C = C R S	TTY - V	L(	os 
MINOR STREET											
WB LEFT	22	189	189	>	212	189	>	100	167	>	D
RIGHT	4	549	549	>	213	549	>	186	545	>D >	A
MAJOR STREET											
SB LEFT	0	660	660			660			660		A

NAME OF THE EAST/WEST STREET..... SITE DRIVEWAY NORTH NAME OF THE NORTH/SOUTH STREET.... RIVER ROAD DATE AND TIME OF THE ANALYSIS..... 02-22-1994; PEAK PM HOUR OTHER INFORMATION.... 2000 BUILD TRAFFIC VOLUMES

SITE INVESTIGATION REGARDING
POSSIBLE PETROLEUM CONTAMINATION
BY FORMER FUEL OIL TERMINAL

## SITE INVESTIGATION REGARDING POSSIBLE PETROLEUM CONTAMINATION BY FORMER FUEL OIL TERMINAL

In May of 1986 New England Pollution Control Co. Inc. performed a site inspection and a groundwater analytical survey of the subject property. The purpose of the survey was to determine the possibility of hydrocarbon contamination as the site had been used as a fuel oil terminal for many years. Groundwater, sediment and air samples were obtained and analyzed for the presence of hydrocarbons. The conclusion of the report stated "We feel that the site does not present a significant potential for on site or off site environmental impact. We do not fee that remedial activity is warranted at the present time."

A copy of the report is presented on the following pages:



יים פטיים איינטיים איינטיים

MATERIAL POLICE AND THE PROPERTY AND ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY ADDRESS OF THE PARTY AD

May 27, 1986

· ....

Mr. Myron T. Holman Shotmeyer 0:1 Corporation 1 Valley Street Hawthorne, NJ 07506

Re: Newburgh Terminal, New York

Dear Mr. Holman:

NEPCCO, Inc. has essentially completed a cursory site inspection and groundwater analytical survey at your Newburgs, New York Terminal. Although we have not fully tabulated the subsequent laboratory results, we have drawn some basic conclusion as indicated by this data.

Our summary and preliminary conclusions are as follows:

- Each monitoring point was monitored for immicible hydrocarbons using a sonic interface probe. Free floating hydrocarbons were absent during each monitoring instance. Based on the access matrix provided, there appears to be no free floating hydrocarbon pool present in the study area. The surficial sediments within the area of study also appears to be free of significant contamination by petroleum products.
- 2. Groundwater samples were collected from each monitoring point following bailing procedures by EPA standard protocol. Samples were analyzed for purgeable aromatic compounds and total hydrocarbons. As would be expected, minor concentrations of volatile organic components were found in certain samples, but it does not appear that a significant dissolved organic plume is present in the area.

<u>.</u> 5 3 .

Given the history of petroleum operations at the Given the history of petroleum operations at the site, contamination of groundwater by dissolved organic components appears rather slight and does not present a major impact issue. Soil samples were collected at selected locations throughout the study area and analyzed for total hydrocarbons and EP Toxicity. Results of these analyses indicate an absence of significant contamination by metals and/or organic compounds indicative of petroleur operations. operations.

Ambient air samples were also collected at selected Ambient air samples were also collected at selected locations throughout the site area determine the occurance of organic vapor in the surficial sediments and surrounding area as a result of hydrocarbon contamination. Again, these results indicate the absence of any unusually high volatile organic concentrations at sampling sites. All samples were collected and analyzed by a New York State approved laboratory using EPA recommended analytical protocol. analytical protocol.

Conclusion: We feel that the site does not present a significant potential for on site or off site environmental impact. We do not feel that remedial activity is warranted at the present time.

If we can be of any further assistance, please contact us at your convenience.

Sincerely,

Thomas A. Brigante, Jr.

Director, Project Management Division

Herbert E. Woike Chief Hydrogeologist

Horari E. Winte

Kimberlee W. Millberry

Senior Hydrogeologist

Emkerie W. Mill kerry

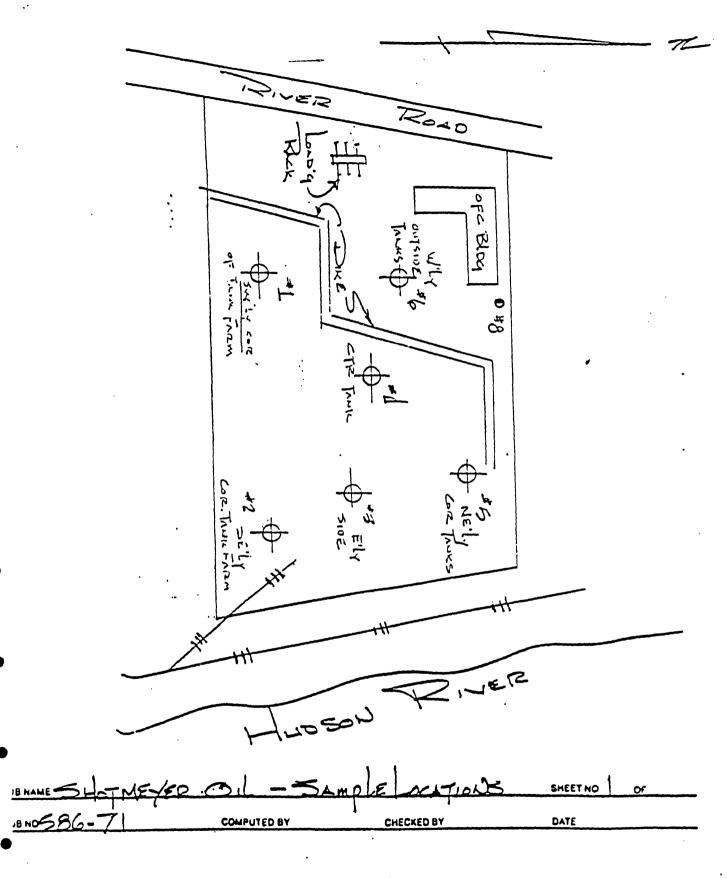


PLATE 1

□ AVENEL, N.J.
□ BATAVIA, N.Y.
□ AOBBINSVILLE, N.J.
□ DEERFIELD BEACH, FL.

A WHOLLY OWNED SUBSIDUARY OF INC.
International Technology Corporation
7 EDGEWATER PLACE
NORWALK, CT 06855
203-835-1990

## OIL BORING/WELL LOG NO. #1

PROJECT NAME	· · · · · · · · · · · · · · · · · · ·					PROJECT NG.	PAGE
PROJECT LOCATION			Corp. Newburgh Termin	al	··········	PERMIT NO.	0138
	Newburgh	. New	: York				
BORING LOCATION						DATE COMPLETED	5 / 20 / 87
DRILLING EQUIPMENT	Portable	Auge	<u> </u>	DRILLMASTER	(Boyd)	COMPLETED DEPTH	10 feet
DRILLING METHOD	Hollow S	Stem A	luger	STAFF GEOLOGIST	J. Bowe	n	
SAMPLE	l		ĺ	<del>-1</del>			
&	DEPTH				1	1	MONITORING WELL
TYPE	FT — IN."	nacionalis	SOIL DESCRIPTION fill pea gravel		PER 6" (P	PPM)	CONSTRUCTION TYPE:
	5	2054					1
	<u> </u>	Ď0,9℃	Grey sand, some gra	ivel			Above grace
		300°C					
	2 —	:000					<u> </u>
	-	30.8	Grey Clay and silt.	1		[	WELL ELEVATION:
<del></del>	<b>├</b> -		somė gravel				unknown
	-	208	4				
		313					REFERENCE POINT:
ļ	-		4				Grade
·	-						
, ——			<u> </u>				
	<u> </u>		Grey Clay, some pel	obles			DIAMETER:
	_		(dry)				4-inch
	-						
<b> </b>	-				i	— I	
	<u></u> 8 −						SCREEN:
		j e					
!	<u>-</u>	<b>.</b>	1				.020 slotted
	-		1				10 1661
	<u> 10 −</u>	Holosuh emalu:		· · · · · · · · · · · · · · · · · · ·			0.000
1	_		ВОН	•			CASING:
							N/A
	-						
	<u> </u>	1					
	<u> </u>	1					WELL PACK:
		]					#2/#3 gravel
	<u> </u>	4					
<del>                                     </del>	-	1					
Type of Sai	nple	REMA	RKS:		GROUNDW	ATER OBSERVAT	ions:
Auger (Dist		Gno	y Clay appears to be a		Chart	iunton olausi	ion on the site
	on Sampling		fining layer.		1		tion on the site ? feet below grade.
LS Liner Sample					15 app	rionimatery E	
ST Shelby Tube							
RC Rock Core		1					
BS Bag Sample	• ,	1			1		٠

☐ AVENEL, N.J. ☐ BATAVIA, N.Y. ☐ ROBBINSVILLE, N.J. ☐ DEERFIELD BEACH, FL.

A WHOLLY OWNED SUBSIDIARY OF INC.
International Technology Corporation
7 EDGEWATER PLACE
NORWALK, CT 06855
203-835-1990

JIL BORING/WELL LOG NO. #3

PROJECT NAME	Shotmeve	r Oil	Corp. Newburgh Termina		<del></del>		PROJECT NO.	138	PAGE
PROJECT LOCATION	Newburgh						PERMIT NO.		1 /
BORING LOCATION							DATE COMPLETED	r / 20	/ 87
DRILLING EQUIPMENT	Portable	Auge	•	DRILLMASTER (	(Boyd)		COMPLETED DEPTH	10 feet	
DRILLING METHOD	Hollow S			STAFF GEOLOGIST	J. B	ower			
SAMPLE		1				011011			
& TYPE	DEPTH FT.' — IN."		SOIL DESCRIPTION		1 1	HNU	,	MONITORING WELL	
I IIFE	F1. — IN.	7.5.0			PER 6' (	(PPM)	+	CONSTRUCTION TYPE:	
ì	· -		Brown black loam, Silt, some sand and	gravel	6			Above gr	en de
	· _		,	<b>G</b>	7			Above g.	auc
	·	0			10		H [=]		
	– 2 –	0.						WELL ELEVATI	ON:
		0				<del></del>	1 1-1		
<b> </b>	_	منون <del>بر</del>						unknown	
		~~~			2		j  =		
7	- 4	2			14			REFERENCE P	OINT:
<del></del>	_	9			12		4 🖃	Grade	
· ——	·	0_			12				
	- 6 <del>-</del>	ا ر							
			Very soft Grey Clay	,				DIAMETER:	
	_		some gravel				d [=]	4-inch	
	_	9			H		1 =		
	- 8 <del>-</del>								
					-		- E-1	SCREEN:	
	8.5_		Dry Grey Clay, some	anavo?			1 =	.020 slc	tted
	_		Dig die, Cia,, Some	graver				10 feet	
	<del>-</del> 10 <del>-</del>				<del>                                     </del>		4 =		
			ВОН	•	10		-	CASING:	
	·				12		]	N/A	
					14			1	
					<b> </b>		-		
	· –				<del>                                     </del>		1	WELL PACK:	
	·						]	#2/#3 gr	avel
<b>  </b>  -					-		-	į	
<b>  </b>					<del></del>		-		
	•								
Type of Samp		REMAI	RKS:		GROUND	WATE	R OBSERVAT	ions:	
Auger (Disturb  — Split Spoon  LS Liner Sample (Di  J Jar Sample (Di  ST Shelby Tube (U  RC Rock Core	Sampling — Disturbed) sturbed) Indisturbed)		y Clay appears to be a fining layer		1			tion on the 2 feet belo	
BS Bag Sample	,				1				

APPENDIX 1 Lab Analysis Results

Shotmeyer Petroleum Newburgh Terminal, New York

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... . ...

# Envirolest Laboratories, Inc.

May 20, 1986

Kimberlee W. Millberry
Senior Hydrogeologist
New England Pollution Control
7 Edgewater: Place
Norwalk, Connecticut 06855

SUBJECT:

RESULTS OF FUEL OIL ANALYSES, SAMPLES FROM

SHOTMEYER PETROLEUM, NEPCCO PROJECT #10 138

RECEIVED 5/7/86.

Dear Ms. Millberry:

The results of the subject analysis are as follows:

Lab No.	<u>Sample ID</u>	Matrix	Results (as dodecane)
43896B	OW-1	water	320 ug/l
43896C	OW-2	water	120 mg/l
43896D	OM-3	water	860 ug/l
43896G	0W-6	water	8.9 ug/l
43896H	OW-1	soil	$\langle 0.5 \text{ mg/kg} \rangle$
438961	0W-2	soil	<0.5 mg/kg
43896J	OW-3	soil	8.3 mg/kg
43896K	0W-4	soil	<0.5 mg/kg
43896L	0W-5	soil	<0.5 mg/kg
43896M	0W-6	soil	<0.5 mg/kg
43896N	8-W0	soil	<0.5 mg/kg

If there are any questions regarding this data, please do not hesitate to contact our office.

Very truly yours,

ENVIROTEST LABORATORIES, INC.

Ronald A. Bayer President

RAB/pkd

## Envirolest M Laboratories, Inc.

DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed \_AB#: 43896A

HAME: NEPCCO

TREET: 7 Edgewater Place PL LOCATION: Trip Blank CITY: Norwalk STATE: CT ZIP:

COLL'D BY:

EPORT TO: Kim Millberry

ILL TO:

## VOLATILE ORGANICS ANALYSIS

romodichloromethane romoform romomethane arbon tetrachloride hlorobenzene hloroethane -chloroethylvinyl ether hloroform hloromethane is-1,3-dichloropropene ibromochloromethane	: : : : : : : : : : : : : : : : : : : :	:	Tetrachloroethylene Trans-1,3-dichloroprobene Trans-1,2-dichloroethylene 1,1,1-trichloroethane 1,1,2-trichloroethane Trichloroethylene Trichlorofluoromethane 1,1,2-trichloro-1,2,2- trifluoroethane Vinyl chloride	
,1 dichloroethane ,2-dichloroethane	:		Benzene 1,2-dichlorobenzene	:

,l-dichloroethylene 1,3-dichlorobenzene ,2-dichloropropane 1,4-dichlorobenzene ethylene chloride Ethylbenzene \_,1,2,2-tetrachloroethane: Toluene Total Xylenes

ll results in ug/l.

emarks: All EPA 602 (1.0 ug/l.

Laboratory Director 5-19-86

## Laboratories, Inc.

LAB#: 43896B DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed

NAME: NEPCCO

STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:

SPL LOCATION: Shotmeyer #1 COLL'D BY:

REPORT TO: Kim Millberry

BILL TO:

### VOLATILE ORGANICS ANALYSIS

•	3romodichloromethane	:		Tetrachloroethylene	;
	3romoform	:		Trans-1,3-dichloropropene	:
	3romomethane	:		Trans-1,2-dichloroethylene	⊋:
	Carbon tetrachloride	:		1,1,1-trichloroethane	:
	Chlorobenzene	:	•	1,1,2-trichloroethane	:
_	Chloroethane	:	•	Trichloroethylene	:
•	2-chloroethylvinyl ether	:		Trichlorofluoromethane	:
	Chloroform	:		1,1,2-trichloro-1,2,2-	:
	Chloromethane	• •		trifluoroethane	:
	Dis-1,3-dichloropropene	:		Vinyl chloride	:
	literomock large attend	_			-

ibromochloromethane :

ichloroethane : Benzene

., dichloroethane : Benzene : 260
.,2-dichloroethane : 1,2-dichlorobenzene :
.,1-dichloroethylene : 1,3-dichlorobenzene :
.,2-dichloropropane : 1,4-dichlorobenzene :
bethylene chloride : Ethylbenzene :
.,1,2,2-tetrachloroethane: Toluene : 48

.,1,2,2-tetrachiordethane: Toluene : 48 Total Xylenes : 1230

.ll results in ug/l.

.emarks: All other 601 (1.0 ug/l.

Ronald A. Bayer

Laboratory Director

5-19-86

## Laboratories, Inc.

LAB#: 43896C DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed

HAME: NEPCCO

STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:

TPL LOCATION: OW-2 ', COLL'D BY:

EPORT TO: Kim Millberry

,ILL TO:

## VOLATILE ORGANICS ANALYSIS

<ul> <li>romodichloromethane</li> <li>romoform</li> <li>romomethane</li> <li>arbon tetrachloride</li> <li>hlorobenzene</li> <li>hloroethane</li> <li>-chloroethylvinyl ether</li> <li>hloroform</li> <li>hloromethane</li> <li>is-1,3-dichloropropene</li> <li>ibromochloromethane</li> </ul>		Tetrachloroethylene Trans-1,3-dichloropropene Trans-1,2-dichloroethylene 1,1,1-trichloroethane 1,1,2-trichloroethane Trichloroethylene Trichlorofluoromethane 1,1,2-trichloro-1,2,2- trifluoroethane Vinyl chloride		٠.
, dichloroethane ,2-dichloroethane ,1-dichloroethylene ,2-dichloropropane ethylene chloride ,1,2,2-tetrachloroethane	: : : :	Benzene 1,2-dichlorobenzene 1,3-dichlorobenzene 1,4-dichlorobenzene Ethylbenzene Toluene Total Xylenes	-	97 1840

ll results in ug/l.

emarks: All other 602 (1.0 ug/l.

Ronald A. Bayer Laboratory Directo: 5-19-80

# Envirolest Laboratories, Inc.

LAB#: 43896D DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closec

NAME: NEPCCO

STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:

SPL LOCATION: OW-3 : COLL'D BY:

REPORT TO: Kim Millberry BILL TO:

Remarks: All EPA 602 (1.D ug/l.

## VOLATILE ORGANICS ANALYSIS .

Bromodichloromethane	:	Tetrachloroethylene	:	
Bramoform	:	Trans-1,3-dichloropropene	:	•
3romomethane	:	Trans-1,2-dichloroethylene	<u>:</u>	
Carbon tetrachloride	:	1,1,1-trichloroethane	:	
Chlorobenzene	:	1,1,2-trichloroethane	:	
Thoroethane	:	Trichloroethylene	:	
2-chloroethylvinyl ether	:	Trichlorofluoromethane	:	
Chloroform	:	1,1,2-trichloro-1,2,2-	:	
Chloromethane	:	trifluoroethane	:	
Dis-1,3-dichloropropene	:	Vinyl chloride	:	
Dipromochloromethane	:			
l,dichloroethane	:	Benzene	:	
1,2-dichloroethane	:	1,2-dichlorobenzene	:	
1,1-dichloroethylene	:		:	
1,2-dichloropropane	:	1,4-dichlorobenzene	:	
methylene chloride	:	Ethylbenzene	:	<b>5</b> 5
●1,1,2,2-tetrachloroethar	ie:	Toluene	:	13
•		Total Xylenes	:	340
All results in ug/l.			•	

Ronald A. Bayer Laboratory Director

5-19-86

## Laboratories, Inc.

DATE COLL'D: 86/5/7 STATUS: closed .AB#: 43896E DATE REC'D: 86/5/7

HAME: NEPCCO

STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:

COLL'D BY: PL LOCATION: OW-4 :

EPORT TO: Kim Millberry

TO:

## VOLATILE ORGANICS ANALYSIS

•			man and the second second		
romodichlore	omethane	:	Tetrachloroethylene	:	•
romoform		:	Trans-1,3-dichloropropene		·,
remomethane		:	Trans-1,2-dichloroethylene	⊋:	•
a pon tetrad	chloride	:	1,1,1-trichloroethane	:	
hlorobenzem	9	:	1,1,2-trichloroethane	:	
_ hloroethane		•	Trichloroethylene	:	
-chicroethy.	lvinyl ether	:	Trichlorofluoromethane	:	
tiloroform		:	1,1,2-trichloro-1,2,2-	:	
hloromethan	<b>e</b>	:	trifluoroethane	:	
is-1,3-dich	loropropene	•	Vinyl chloride	:	
ibromochlor	omethane	:			
•, ichloro	ethane	:	Benzene	:	
,2-dichlora	ethane	:	1,2-dichlorobenzene	:	
,1-dichloro		•	1,3-dichlorobenzene	-	
,2-dichloro		•	1,4-dichlorobenzene		
ethylene ch		•	Ethylbenzene	•	530
•		•	•		
<b>■</b> ,±,≈,≈=□€∪	achloroethan	<b>:</b> :	Toluene	:	110
,,			Total Xylenes	:	1200
reculte	is uall				

il results in ug/l.

emarks: All other EPA 601 (1.0 ug/l.

## Envirolest 🛗 Laboratories, Inc.

DATE COLL'D: 86/5/7 STATUS: closed .AB#: 43896F DATE REC'D: 86/5/7

IAME: NEPCCO

TREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP: PL LOCATION: OW-5 COLL'D BY:

PL LOCATION: OW-5 .

EPORT TO: Kim Millberry

ll results in ug/l.

emarks: All EPA 601 (1.0 ug/l.

## VOLATILE ORGANICS ANALYSIS

<pre>romodichloromethane</pre>	:	Tetrachloroethylene	:
romoform	:	Trans-1,3-dichloropropere	:
romomethane	:	Trans-1,2-dichloroethylen	e:
arbon tetrachloride	•	1,1,1-trichloroethane	:
hlorobenzene	:	1,1,2-trichloroethane	:
hloroethane	:	Trichloroethylene	:
-chloroethylvinyl ether	:	Trichlorofluoromethane	:
hloroform	:	1,1,2-trichloro-1,2,2-	:
hloromethane	:	trifluoroethane	:
is-1,3-dichloropropene	:	Vinyl chloride	:
ibromochloromethane	:		
• ; dichloroethane	•	Benzene	•
,2-dichloroethane	•	1,2-dichlorobenzene	•
,1-dichloroethylene		1,3-dichlorobenzene	:
,2-dichloropropane	:	1,4-dichlorobenzene	:
ethylene chloride	:	Ethylbenzene	:
a,1,2,2-tetrachloroethan	e:	Toluene	:
		Total Xylenes	:
		•	

## Envirorest Em Laboratories, Inc.

\_AB#: 43896G DATE REC'D: 86/5/7 DATE COLL'D: 86/5/7 STATUS: closed

STREET: 7 Edgewater Place CITY: Norwalk STATE: CT ZIP:

SPL LOCATION: OW-6 : COLL'D BY:

REPORT TO: Kim Millberry

TO:

## VOLATILE ORGANICS ANALYSIS

promodichloromethane promoform promomethane parbon tetrachloride phlorobenzene phloroethane pechloroethylvinyl ether thloroform phloromethane pechloromethane pechloromethane pechloromethane	: : : : : : : : : : : : : : : : : : : :	Tetrachloroethylene Trans-1,3-dichloropropene Trans-1,2-dichloroethylene 1,1,1-trichloroethane 1,1,2-trichloroethane Trichloroethylene Trichlorofluoromethane 1,1,2-trichloro-1,2,2- trifluoroethane Vinyl chloride	
• .i .ichloroethane	•	Renzene	

,2-dichloroethane 1,2-dichlorobenzene ,l-dichloroethylene 1,3-dichlorobenzene ,2-dichloropropane 1,4-dichlorobenzene ethylene chloride Ethylbenzene -1,2,2-tetrachloroethane: Toluene Total Xylenes

ll results in ug/l.

emarks: All EPA 602 (1.0 ug/l.

DATE COLL'D: 86/05/07 STATUS: closed

# • EnviroTest 2 Inc.

LAB#: 43896H

DATE REC'D: Se/US/07

FNAME: LNAME: Nepdu CITY: STREET: STATE: ZII: SPL LOCATION: OW-1 REPORT TO: BILL To: 1 Collis Critical : COD F COLTE Phenol: HARD-T : SPC CN Ca Hard: r-В 803 clNOS Bt Color Alk Mo2BOD Inf: T=1/04 : udor Q=POG : BOD-Eff: Turb Sin BOD--C рH TSS-Inf: LI MDAG TOS-E11: Siuce Cand H25 NHS-1: MLSS NH3 0 : TKN MLVSS  $\nabla = 1$ Cha 7:: : <0.05 Sw: K2 ug/l Cr. Co ΑQ 1 (0.01 7100 Out Mei T ! Aut rumani : 100 Sale G & O : Ph : (0.05) Τì  $\Delta \dot{\alpha}$ Ma V Db. 1-15 ....ii : Johnson . A. 1  $H_{i}$ : : <0.4 ug/i THM E VOLUM 190 TOO 13. 1 Ni 1363 12.1 : (U.O.

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP  $T_{m{g}}$ xicity procedure as

described in the May 19, 1980 Federal Register

Ronald K. Bayer Laboratory Director

NOI. 45, No. 98.

5/22/06

# • EnviroTest Laboratories, Inc. —

DATE REC'D: 86/05/07 DATE COLL'D: 86/05/07 STATUS: close: LAB#: 45896I FNAME: INAME: Nepco STREET: CITY: STATE: 71P: OPE LOCATION: OUT? REPORT TO: Blul TO-F Col 7: Cities : COD " Det I: HARD-T: Phenol: SPC CN Ca Hard: S03 Cl IO. BrColor : Alk: 10% T-Pour : BOD-Inf: Odor D-Pun : BOD-Eff: Turb BOD-5 : 104 DH 40 LI TSS-Inf: 12 Cond TSS-Lff: NHO-T: MLSS TKN MLVSC Ca The : K2 ug/l KULÜE. : (0.01 1,500  $\mathcal{L}_{k}(\mathbb{C})$ Ou Na AAATI . 90i : Sn 10 1 & 0 : 1757 Ti 140  $\nabla$ 1:17: 7.51 1 (2) ug, 1 11:5 <0.4 ug/1 THM : (U.2 Mo TOC Ni E (0.01 구글

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as

described in the May 19, 1980 Federal Register, Vol. 45, No. 98.

Ronald A. Bayer Laboratory Director 5

5/22/56

## 

DATE REC'D: 86/05/07 LAB1: 438963 DATE COLL D: 86/05/07 STATUS: closed LNAME: Nepco FNAME: STREETE CITYE STATE: ZIP: OPE LOCATION: OUT I REPORT TO: BILL TO: 1 001.7 E Crite COD n Cold: HARD-T: Phenol: SPC CH Ca Hard: B 803 MOS BrcaNOS Color : Alk T-Pite. : Odor BOD-Inf: BOD-Eff: Dorphia : Lan b 904 13.11 BOD-D LJ TSS-Int: MHA: 1102 Cond TSS-Eff: H200 MH 3-1 : MLCC MH3-01: TEN MLVSS. Jan. 1:. : <0.05 Stee : Remarks Chi 1.50 2 (4,1,11) ( I): : · iiji 144 ;;; 1. 1 2513 1 4 4 5 300 Ti 3 & 10 2 14: <0.0% 7 ) 11) Jto Mr .: i I The action 440  $-300.4~\mathrm{mg/J}$ THM 1 30.29 1-1: 1 100 S 40101

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure as described in the May 19, 1980 Federal Register, yta. 45, No. 98.

Ronald A. Bayer Laboratory Director 5/22/06

# • EnviroTest Inc.\_\_

LARM: 43096k DATE REC'D: 86/05/07 DATE COLL'D: U6/05/07 CTATUS: closed LNAME: Nepco FNAME: STREET: CITY: STATE: ZIF: SPL LOCATION: OW-4 REPORT TO: BILL TO: f COLD: Critic : COD F COLT: Phenol: HARD-T : 3PC : CN - Ca Hard: S03 : 100 c1Br Color: NO2 Alk r-ro₄ : 0dor BoD-Inf: D-Pun : Turb BOD TIFE: 304 pH BOD S : TSS-Ind: 413.65 I... J Sico TSS-LIT: Cond 12% NH....T : MLSS William Co. E MILVUC. TEN  $C_{i,1}$ CrSign ± 32 ug/1 : <0.05 P(z)Co DO 133 Ыa TI 643 1 SOL : T 12! Ori 180: Pla Ti : <0.05 **3** . MO dri Mri E KB 1097 L 140 : <0.4 ug/l THM : 10.2 110 TOC 141 : <0.01 Pel

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the TP Toxy ity procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 98.

Ronald A. Bayer Laboratory Director

5/22/86

## (914) 562-0890

## EnviroTest Laboratories. Inc.

LABIE 438961 DATE REC'D: 86/05/07 DATE COLL 'D: 86/05/07 STATUS: closed LNAMI: Nepdo FNAME: STREETE CITY: STATE: ZIP: ST4 LOCATIONS ON-5 REPORT TO: BILL TO: T COLT: Carte : COD F COLL: Phenol: HARD-T : SPC CH Ca Hard: В 903 c1NUG Br NO2 Color : Alk T-PO- : BOD-Inf. üdor Ú-Po⊷: Turb BOD-Eff: 204 F-1-1 BOD-S LI Tos-Inf: MB AS Sign Cond TSS-Eff: H2U MH3-T : MLSO MH"-1": TKN MLVSS **7**50 7.00 1.11 : <2 ug/1 : <0.05 ္ကမ J. . .  $\mathbb{C} \subset$ Air 10.01 110.5Call No 602 Ti 1 100 Sin 41 & 5 E P'(0)± <0.05 Τİ 51  $\mathbf{v}$ 11: Mr  $Zr_1$ and the second : Kola ug/l 140 THH il. : 30.22 14:1 Loc 365 N., -: KULÚ! T'G

Remarks: All results in may'd unless otherwise indicated. The subject sample was homogenized then subjected to the EP To $\wp_{m{A}}$  Lty procedure as described in the May 19, 1980 Federal Register, Vol. 45, No. 98.

> Bayer Ronald A. () S/22/da Laboratory Director

# • EnviroTest EnviroTest Laboratories, Inc. \_\_\_

LAB#: 408968 DATE REC'D: 86/05/07 DATE COLL'D: Bay05/07 STATUS: closed LNAME: Nepoco FNAME: STREET: CITY: STATE: ZIP: SPL LOCATION: OH-E REPORT TO: BILL TO: T COLT: Ortho: COD F COLI: Phenol: HARD-T : SPC CN Ca Hard: SOS MOS c.1Color: NO2 Alk T-P04 : Odor BOD-Int: BOD-El ... OmPost : Turb BODES SOG 11.11 MBAS 1. I TSS-Int: TOO-Elfil: 5102Correi HOS MHUT- 1 -MLSS THEFT: : TKM MUVSS W. ... Chi 1 : : : KULO5  $\mathbb{S}_{\mathbb{C}^{n}}$ : K2 ug/1 to the U. 1100 Hic 3 (1) 641 1.1 % OOL : EL San PE : <0.05 1 i 140 35 1111  $Zr_{1}$ - 32 ug/l 110 -: <0.4 ug/i THM - Lui 2 1-1:0 TOO Bear Box Hã 1-10 - : (U.U.

kemarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the EP Toxicity procedure and described in the May 19, 1980 Federal Register, Vol. 45, No. 98.

Ronald A. Bayer

# Envirolest 2 Laboratories, Inc.

DATE REC'D: 86/05/07 LABBE 436PHoF DATE COLL D: 86/05/07 STATUS: closed LNAME: Nepco FNAME : CITY: STATE: ITH: STREET: SHI LOCATION: UN-E REPORT TO: BILL TÚ: Tiran : T COLI: COD F COLL: Phenul: HARD-T : Ca Hard: **]**:: S03 P. C . 5 c:1Color: alk NO.2 BOD-Inf: 1-1700 : ÚďO OmPoals Turb BOD-Eff: SOH рH BOD-S TSS-Inf: MEAS TOSHEFF: Sioz Cornel - : HH3-1: H2S MLSS MITTERS : TEN ML VOS ± €2 ug/1 : <0.05 CrE KG101 Circ AC 1130 Nec 641. TI 1:10 Sin : <0.05 17: Τi  $\nabla$ 1400 2n Mili is see unific 110 7111 o : KO.⊣ ug/l E (0.2 1911 TOU N2 440 : <0.01  $P \in$ 

Remarks: All results in mg/l unless otherwise indicated. The subject sample was homogenized then subjected to the FP loxidity procedure as described in the May 19, 1980 Federal Register Vol. 45, No. 98.

Ronald A. Bayer

APPENDIX 2 Air Quality Analysis Results



## CHAIN OF CUSTODY

Client.	SHOT ME	YER PET	ROLFUM	_ Samp	le No: 1-6.8
Adaress: j	· .		_	Sample	bate: = 17/76
			·		Hour: 16em -/-
Authorizat	10n			<del>-</del>	
Projeci no	.: 1013	38		Date kec	eived: <u>5/7/76</u>
				Lo	t No.:
Sample Des	cription: Wa	oter and	sed imen	2 50	nples from
_				_	- nëls each
		~	•	_	liter each
5011	+ one soil	50mple	w/o a w	ell (#8)	J
Preservati	ives:/A				
Field Ana	lysis				
Flow		рН			Dissolved
hater Ter	ip	Depth	of Sample		Daygen
Staff Gag	je Height	Preci	pitation		
(2))			6.3		
(ollected		17/86	ENVIRUTE	ed to:	5/7/26
& Mill	peny 3	77180	PAVAIRON	SI CHO)	3/7/80
Rear	est / au	eek hum	annind		
Sund	Paults to	· · · · · · · · · · · · · · · · · · ·		•	
	PHn:	Kimbert	e WMII	hem _	

## REPORT OF RESULTS

tour 10	Date Received 03207280
EML ID _	60507-NEP Date Analyzed 05-07-86
	LABORATORY ANALYSIS OF AIR SAMPLES/SAMPLING MEDIA
	: ***All Values In mg/m <sup>3</sup> ***
<	Benzene, Toluene, Xylenes (Total)>

. <u>#2</u> <u>#3</u> #4 #1 <u>#5</u> #6 <0.05 <0.05 <0.05 <0.05 <0.05



Authorized Signature

# ASSESSMENT OF SOIL REMEDIATION UNIT EMMISSIONS

## ASSESSMENT OF SOIL REMEDIATION UNIT EMMISSIONS

The Soil Remediation Unit (SRU) equipped with an afterburner and baghouse to limit the emissions within the requirements of the NYSDEC General Processes Emission Sources Guidelines Part 212. This is accomplished by the following process:

The petroleum contaminated soil is initially heated in the rotary kiln to approximately 450 ° Fahrenheit. Following the rotary kiln the particulate matter and gasses are conveyed to a baghouse system which filters the particulate matter down to 0.05 grains per dry standard cubic foot (DSCF). The fugitive particulate matter and the gasses enter a proprietary afterburner where greater than 99% of the hydrocarbons are destroyed at approximately 1,600 ° Fahrenheit. The afterburner is designed to meet the NYSDEC Air Emissions Part 212 Requirements.

The majority of the emissions from the unit stack will be water vapor, carbon dioxide, carbon monoxide, oxides of nitrogen and sulfur oxides. An extremely minute amount of hydrocarbons and dust will also be emitted. An analogy of this process is best illustrated in a test which was performed on a comparable SRU by the State of Maryland. The test results indicated hydrocarbon emissions at a level of about 7 to 10 parts per million, which is approximately 1,000 times lower than exhaust from an automobile. A comparison is made that a SRU that processes 50,000 tons of petroleum contaminated soil per year will be equivalent in hydrocarbon emissions to that of a residential high efficiency oil furnace that burns 1,200 gallons of fuel per year. After incineration the soil exiting the SRU is sprayed with water to add moisture and limit dust emissions.

The following is a summary of the emissions generated by the Soil Remediation Unit:

Prepared By: Ira D. Conklin III

Ira D. Conklin & Sons, Inc.

## PROCESS EMISSIONS SUMMARY

MAIN BURNER REQUIREMENTS: 17
AFTERBURNER REQUIREMENTS: 10

17,000,000 BTU/HR 10,814,000 BTU/HR AT 138,000 BTU/GAL AT 138.000 BTU/GAL = 123 GAL/HR = 78 GAL/HR

## GAS VOLUMES

8904 ACFM Process at 300° F (148.89° C) (Calculation # 3) 35040 ACFM For both burners (Calculation # 7) 7900 SCFM Dry gas for total process 3198 SCFM Main Burner 9261 SCFM Both Burners

## **FUEL AND ASH PARAMETERS**

O.O5 % Sulphur
20 LB NO<sub>2</sub>/1000 gallons of fuel
5 LB CO/1000 gallons of fuel
0.34 LB of Particulates/1000 gallons of fuel

7.4 LB/GAL # 2 diesel fuel 300° F Baghouse air temperature 1600° F Afterburner temperature

## **PROCESS PARAMETERS**

25 TONS/HR PROCESSING OF HYDROCARBON CONTAMINATED SOIL UP TO 10,000 PPM (1%) AT 98% CONTROL. ANNUAL OPERATING HOURS AT 21 HOURS/DAY, (3 HOURS/DAY MAINTENANCE) 7 DAYS/WEEK, 52 WEEKS/YEAR. ANNUAL OPERATING HOURS = 21 HR/DAY X 7 DAYS/WK X 52 WK/YR = 7,644 HOURS/YEAR

## **CONVERSIONS**

273° K = 0° C 46 g/mol NO<sub>2</sub> 64 g/mol SO<sub>2</sub> 28 g/mol CO 453.59 grams = 1 pound  $0.0283 \text{ meter}^3 = 1 \text{ FT}^3$   $180 \text{ g/mol } C_{12}H_{36}$  $78 \text{ g/mol } C_6H_6$ 

## PARTICULATE EMISSIONS

Particulates from Fuel per AP42, Table 1.3-1 Distillate Oil (as PM<sub>10</sub>)

PROCESS: 123 GAL X 0.00034 LB GAL

= 0.04 LB/HR

AFTERBURNER: <u>/8 GAL</u> X <u>0.00034 LB</u> = <u>0.03 LB/HR</u>
HR GAL

TOTAL BURNER PARTICLUATES = 0.07 LB/HR

Assume 0.03 gr/dscf in gas stream discharged from baghouse. This has been demonstrated to be a reasonable emission limit from a Site Reclamation Systems, Mobile Soil Remediation Unit (MSRU).

PARTICULATES =  $\frac{7900 \text{ FT}^3}{\text{MIN}}$  X  $\frac{60 \text{ MIN}}{\text{HR}}$  X  $\frac{0.03 \text{ GR}}{\text{FT}^3}$  X  $\frac{1 \text{ LB}}{7000 \text{ GR}}$  =  $\frac{2.03 \text{ LB/HR}}{7000 \text{ GR}}$ 

TOTAL ALLOWABLE PARTICULATES = 2.10 LB/HR

ANNUAL PARTICULATE EMISSIONS = 2.1 LB/HR X 7,644 HR/YR = 16,042 LB/YR

## **EMISSION RATE POTENTIALS FOR PARTICULATES**

From AP-42 Sect. 8.1, Table 8.1-1; Emission factors for conventional Asphalt Plants

Hourly -  $ERP_{PM}$  =  $45 LB_{PM}$  X 25 TONS = 1125 LB/HR X 7644 HR/YR = 8599500 LB/YR TON

CONTROL EFFICIENCY = (1125 - 2.1) X 100 = 99.8% 1125

## EMISSONS OF SULPHUR DIOXIDE AS SO<sub>2</sub> (SOX)

SO<sub>2</sub> OF PROCESS BURNER =  $\frac{123 \text{ GAL}}{\text{HR}}$  X 0.05% S X  $\frac{7.4 \text{ LB}}{\text{GAL}}$  X  $\frac{64 \text{ SO}_2}{32 \text{ S}}$  = .91 LB/HR

SO<sub>2</sub> OF AFTERBURNER =  $\frac{78 \text{ GAL}}{\text{HR}}$  X 0.05% S X  $\frac{7.4 \text{ LB}}{\text{GAL}}$  X  $\frac{64 \text{ SO}^2}{32 \text{ S}}$  =  $\frac{.58 \text{ LB/HR}}{\text{LB/HR}}$ 

HOURLY EMISSIONS FROM PROCESS AND AFTERBURNER = 1.4 LB/HR

1.49 LB/HR X 7644 HR/YR = 11390 LB/YR X 1 TON = 5.7 TON/YR 2000 LB

EMISSION RATE POTENTIALS = ACTUAL EMISSIONS: ASSUME NO CONTROL

## EMISSONS OF NITROGEN OXIDE AS NO<sub>2</sub> (NOX)

 $NO_2$  OF PROCESS BURNER = 123 GAL  $\times$  0.02 LB  $\times NO_2$  = 2.46 LB/HR GAL

 $NO_2$  OF AFTERBURNER =  $\frac{78 \text{ GAL}}{\text{HR}}$  X  $\frac{0.02 \text{ LB NO}_2}{\text{GAL}}$  =  $\frac{1.56 \text{ LB/HR}}{\text{LB/HR}}$ 

HOURLY EMISSIONS FROM PROCESS AND AFTERBURNER = 4.02 LB/HR

4.02 LB/HR X 7644 HR/YR = 30729 LB/YR X <u>1 TON</u> = 15.36 TON/YR 2000 LB

EMISSON RATE POTENTIALS = ACTUAL EMISSIONS: ASSUME NO CONTROL

## EMISSIONS OF VOLATILE ORGANIC COMPOUNDS (VOC)

EMISSION RATE POTENTIAL FOR VOC

Uncontrolled VOC from Soil Contaminants =

2000 LBS 0.01 (CONC.) **25 TONS** 500 LB VOC 7644 HR 3822000 LB/YR HR TON HR

> ACTUAL EMISSIONS OF VOC = (at 98.00% control)

500 LB/HR X 2 % UNCONTROLLED = 10 LB/HR

TOTAL POUNDS PER YEAR OF VOC = <u>10 LB</u> HR 7644 HR 76440 LB/YR YR

## **EMISSIONS OF BENZENE**

Assume all Benzene from gasoline in soil at 1% total contamination, and 5% benzene in gasoline.

Assume 99% control of Benzene in the afterburner. This is an emission limit which has been demonstrated to be reasonable in a MOBILE SOIL REMEDIATION UNIT (MSRU).

EMISSION RATE POTENTIALS FOR BENZENE

<u>'5 TONS X 2000 LB .01 LB GAS X 0.05 LB BENZ = 25 LB BENZ X 7644 HR</u>= 191,100 LB/YR

ACTUAL EMISSIONS OF BENZENE AT 99% CONTROL =

25 LB/HR X 1% uncontrolled = 0.25 lb/hr

191100 LB/YR X 1% UNCONTROLLED = 1911 LB/YR

## EMISSIONS OF CARBON MONOXIDE (CO)

## CONCENTRATIONS OF CO IN STACK GAS =

CO per AP42, Table 1.3-1, Distillate Oil (as CO) =

Process Burner = 123 GAL X 0.005 LB CO = 0.615 LB/HR HR GAL FUEL

Afterburner =  $\frac{78 \text{ GAL}}{\text{HR}}$  X  $\frac{0.005 \text{ LB CO}}{\text{GAL FUEL}}$  =  $\frac{0.390 \text{ LB/HR}}{\text{CAL FUEL}}$ 

TOTAL POUNDS OF CO IN STACK GAS = 1.005 LB/HR

TOTAL POUNDS/YEAR OF CO =  $\frac{1.005 \text{ LB}}{\text{HR}}$  X  $\frac{7644 \text{ HR}}{\text{YR}}$  = 7682 LB/YR

EMERGENCY RESPONSE CONTINGENCY PLAN

## **EMERGENCY RESPONSE CONTINGENCY PLAN**

I.D.C. Soil Reclamation is required to obtain from the NYSDEC a Solid Waste Management Facilities Permit in accordance with Article 27, Title 7 of 6NYCRR Part 360. An integral component of this Permit is the preparation of a Emergency Response Contigency Plan. At a minimum, this written plan addresses the following issues:

- an evacuation plan for facility personnel;
- a list of relevant emergency equipment maintained at the facility such as fire extinguishing systems, spill control equipment, and alarm systems;
- a list of names addresses and telephone numbers of emergency coordinators;
- a description of arrangements between the facility and the local police department, fire departments, and hospitals to coordinate emergency services and familiarize them with the layout of the facility, properties of material handled and associated hazards;

The Emergency Response Contingency Plan as prepared by Ira D. Conklin & Sons, Inc. is as follows:

IRA D. CONKLIN & SONS, INC.

81 RIVER ROAD

NEW WINDSOR, NY 12553

EMERGENCY RESPONSE
CONTINGENCY PLAN

Prepared By:

Ira D. Conklin & Sons, Inc. 81 River Road New Windsor, NY 12553

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### SECTION I

#### GENERAL INFORMATION

NAME: Ira D. Conklin & Sons, Inc.

FACILITY

MAILING ADDRESS: 81 River Road

New Windsor, NY 12553

FACILITY LOCATION: 81 River Road

New Windsor, NY 12553

ADDITIONAL INFORMATION: Ira D. Conklin & Sons, Inc.

NYS DEC Part 364 Permit #3A-165

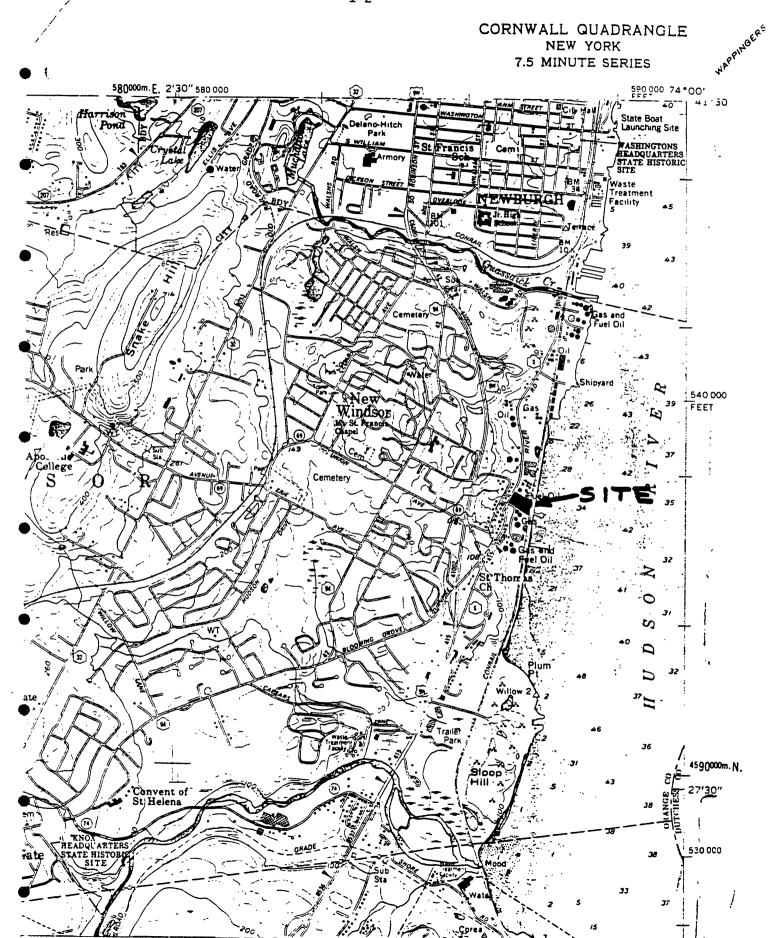
#### REGULATORY APPLICABILITY:

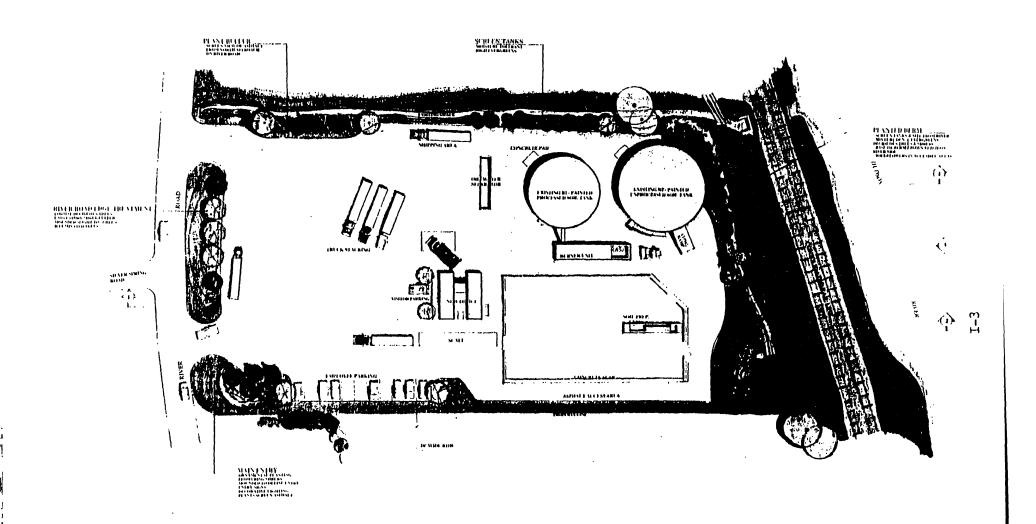
This Emergency Response Contingency Plan has been prepared in accordance with:

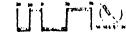
Title 6 NYCRR, PART 360, (Solid Waste Management Facilities) NYS Department of Environmental Conservation for the storage of Petroleum Contaminated Soil in aboveground storage tanks.

## DESCRIPTION OF ACTIVITIES:

The facility stores petroleum contaminated soil in a 70' diameter aboveground storage tank to be processed in an on-site Soil Remediation Unit (SRU) which thermally strips the petroleum content from the soil. After processing it exits the SRU into an aboveground storage tank for eventual disposal off-site.







IDC Soil Reclamation
ILLUSTRATIVE
SITE PLAN

Yen Wandard, NY

## TABLE 1

## ESTIMATE OF MAXIMUM INVENTORY STORED IN ABOVEGROUND STORAGE TANKS

TANK #	STORAGE TANK DESCRIPTION	CAPACITY	WASTE DESCRIPTION
# 1	70' diameter X 30' height steel riveter aboveground tank.	4989 CY	Petroleum Contaminated Soil

## NOTE:

For the purpose of this Contingency Plan, inventory on-site is defined as all wastes in storage at the facility. It includes wastes stored in the tanks. It is a hypothetical inventory of the maximum amount on-site at any time during the life of the facility.

The maximum capacity of the storage tanks is 4989 cubic yards.

It is not expected to have the maximum capacity on hand at any time due to the in-house process system.

## EMERGENCY TELEPHONE NUMBERS

CONTACT	WHEN TO CALL	NUMBER
Quassaick Fire Dept.	Fire emergency, explosion, ventilation	914-561-3112
New Windsor Volunteer Ambulance Corp.	Medical Emergency Requiring Transportation to Hospital	914-565-3320
New Windsor Police	1st Aid Emergency Evacuation Assistance	914-564-2200
St. Lukes Hospital	Situation Requiring Medical Advice	914-561-4400
Poison Control Center	Situation Requiring Medical Advice	914-358-6200
National Response Center	When an incident threatens human health or the environment off-site	1-800-424-8802
NYS DEC	When an incident threatens human health or the environment off-site	1-800-457-7362
DEC Spill Response Hot Line	To report spills	518-457-7362
Weather Information	For prevailing wind conditions during emergencies (from Pough.)	800-992-7433
Stewart Airport	Notification of possible wind impairment	914-562-2100
Ira D. Conklin & Sons	Spill Response	1-800-677-7745
Allwash, Inc.	Spill Response (large scale only)	1-800-633-9274

## EMERGENCY TELEPHONE NUMBER - CONT'D.

CONTACT

WHEN TO CALL

NUMBER

Chemtrec

When a commercial chemical 1-800-424-9300 product known by Trade Name is involved.

#### SECTION IV

#### EMERGENCY\_RESPONSE PROCEDURES

COMMUNICATION: There is telephone communications strategically placed throughout the facility. An open-air intercom system is also in place.

#### **EMERGENCY PROCEDURES:**

- 1. \* Any employ : discovering a fire that is not readily controllable with equipment and materials at hand must:
  - notify the Quassaick Fire Department and the Emergency Coordinator.
  - \* Any employee discovering a discrepancy in tank volume or any other potential hazard involving the petroleum products or natural gas.
    - notify the Emergency Coordinator.
  - \* The Emergency Coordinator or one of his designees will conduct a head count of all employees to determine whether any employees are in the affected area.
  - \* The Emergency Coordinator will identify the character, exact source, amount and extent of any released material.
  - \* The Emergency Coordinator will assess the potential hazards to human health and the environment, and notify the appropriate parties identified in this document.
  - \* <u>IF</u> there is a potential threat to human health, or the environment <u>OFF-SITE</u> the Emergency Coordinator will <u>IMMEDIATELY</u> notify and report to:

NATIONAL RESPONSE CENTER....(800) 424-8802

AND

NYS DEC.... (800) 457-7362

{OR 914-255-5453}

IV-1

The reports will include the following:

- \* Name and telephone number of the reporter.
- \* Name and address: Ira D. Conklin & Sons, Inc. 81 River Road New Windsor, NY 12553
- \* Time and type of incident (e.g.; spill occurred 3:30 p.m.).
- \* Identification and quantity of materials involved (e.g.; 6000 gallons of fuel oil onto concrete pad).
- \* The extent of injuries (e.g.: no injuries).
- \* The possible hazards to the environment and human health outside the facility (e.g.; possible contamination of surface water).
- \* IF there is a potential threat OFF-SITE, and the Emergency Coordinator determines that evacuation of local areas may be advisable, he must immediately notify the NEW WINDSOR POLICE DEPARTMENT AT 914-564-2200.
- \* Extra caution is to be taken for containerized material fires due to the potential for container rupture, explosion or due to heat releasing hot liquids, flammable vapors or poisonous gases.

#### 2. CONTAINMENT AND CONTROL

- \* The Emergency Coordinator will take all necessary measures to contain the hazard within the smallest are possible and to prevent its spread to off-site receptors (i.e.; stream tributary, sewer lines, etc.) with the assistance of Emergency Personnel.
- \* In case of a spill, absorbent material will be placed on the spill to keep risk of fire, explosions, or other hazards at a minimum. Apply non-reactive sorbent materials. Contaminated soil will be collected and managed as a solid waste.

#### SECTION II

## EMERGENCY COORDINATORS

#### PRINCIPAL EMERGENCY COORDINATORS

NAME: John Scandurra TITLE: General Manager

OFFICE TEL. NO: (914) 561-1591 OFFICE HOURS: 8 A.M. - 5 P.M. HOME TEL. NO: 914-564-6446

OR

## ALTERNATE EMERGENCY COORDINATORS

NAME: Richard Wein TITLE: Industrial Waste

Coordinator

OFFICE TEL. NO: (914) 561-1512 OFFICE HOURS: 8 A.M. - 5 P.M. HOME TEL. NO: (914) 561-5558

NAME: Ira D. Conklin, Jr. TITLE: President

OFFICE TEL. NO: (914) 561-1512 OFFICE HOURS: 8 A.M. - 5 P.M. HOME TEL. NO: (914) 562-2712

## "AFTER HOURS" EMERGENCY COORDINATORS

NAMES: John Scandurra & Richard Wein

NOTE: The Principal Emergency coordinator (John Scandurra) is

on call 24 hours a day. Richard Wein is backup

coordinator at all times.

\*\*\*\*\*\*

The Duties and Responsibilities of the Emergency Coordinator remain with the on-scene Coordinator, in the above order of responsibility

\*\*\*\*\*

#### DUTIES OF THE EMERGENCY COORDINATOR

The on-scene Emergency Coordinator must be thoroughly familiar with <u>ALL</u> aspects of this Contingency Plan, <u>ALL</u> material process operations, <u>ALL</u> chemical handling activities on-site, the location and characteristics of materials handled and the plant site layout.

# AUTHORITY TO COMMIT RESOURCES

The on-scene Emergency Coordinator, identified herein by order of responsibility, has the authority to commit additional resources necessary to implement emergency procedures, if, in his opinion, failure to do may result in either:

An imminent or actual human health hazard,

OR

2. A potential significant adverse impact to either property or the environment.

IRA D. CONKLIN & SONS, INC.

## SECTION III

## IMPLEMENTATION CRITERIA

This Contingency Plan must be implemented whenever any imminent or actual incident involving chemicals could threaten human health (on-site or off-site) or cannot be contained on-site:

## SPILLS

The Contingency Plan must be implemented whenever:

- \* A spill could result in the release of flammable liquids or vapors creating a fire or gas explosion hazard.
- \* A spill could cause the significant release of toxic liquids or fumes into an area.
- \* A spill cannot be contained on-site resulting in off-site soil contamination and/or ground or surface water pollution.

## **FIRES**

The Contingency Plan must be implemented whenever:

- \* A fire involves or threatens to involve hazardous materials.
- \* A fire could spread and ignite hazardous materials at the site, or cause heat induced explosions.
- \* Use of water or water and fire suppressant could result in contaminated run-off.

## EXPLOSIONS

- \* An imminent danger exists that an explosion could occur, resulting in a safety hazard due to flying fragments or shock waves.
- \* An imminent danger exists that an explosion could ignite hazardous materials at the site.
- \* An imminent danger exists that an explosion could result in the release of toxic materials.
- \* An explosion has occurred.

III-1

#### SECTION IV

## EMERGENCY RESPONSE PROCEDURES

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    - notify the Emergency Coordinator.
  - \* The Emergency Coordinator or one of his designees will conduct a head count of all employees to determine whether any employees are in the affected area.
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AND

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- \* The extent of injuries (e.g.; no injuries).
- \* The possible hazards to the environment and human health outside the facility (e.g.; possible contamination of surface water).
- \* <u>IF</u> there is a potential threat <u>OFF-SITE</u>, and the Emergency Coordinator determines that evacuation of local areas may be advisable, he must immediately notify the <u>NEW WINDSOR POLICE DEPARTMENT AT 914-564-2200</u>.
- \* Extra caution is to be taken for containerized material fires due to the potential for container rupture, explosion or due to heat releasing hot liquids, flammable vapors or poisonous gases.

### 2. CONTAINMENT AND CONTROL

- \* The Emergency Coordinator will take all necessary measures to contain the hazard within the smallest are possible and to prevent its spread to off-site receptors (i.e.; stream tributary, sewer lines, etc.) with the assistance of Emergency Personnel.
- \* In case of a spill, absorbent material will be placed on the spill to keep risk of fire, explosions, or other hazards at a minimum. Apply non-reactive sorbent materials. Contaminated soil will be collected and managed as a solid waste.

\* The Emergency Coordinator will employ one or more of the following measures to ensure maximum protection of the safety and health of employees, and Emergency Response Personnel.

Use of appropriate protection equipment, dismiss all non-essential personnel, and advise the Off-Site Emergency Response Personnel on the hazards of the materials involved, location and potential hazard of materials not involved, and other site specific information as appropriate.

### 3. FOLLOW-UP ACTIONS:

- \* Following containment and control of the emergency, the Emergency Coordinator will provide for collection, treatment, and disposal of any waste materials and any contaminated soil, water or other materials generated by the Emergency Response Personnel.
- \* The Emergency Coordinator will ensure that all emergency equipment is restored to full operational status.
- \* The Emergency Coordinator, assisted by other qualified personnel, will investigate the cause of the emergency, and will take steps to prevent a reoccurrence of such or similar incidents.
- \* Notify NYS DEC officials before resuming operations affected by the close-down, if any.

NYS DEC....518-457-7362

AND 914-255-5453

# EMERGENCY RESPONSE CHECKLIST

DATE: TIME:	NAME OF PERSON RE	PORTING:
EXTENSION:	LOCATION:	
INCIDENT: (CIRCLE) FIR	RE EXPLOSION SPI	LL OF:
ACTION	REFERENCE	COMPLETE
REPORT TO: Fire Dept. (561-3112)	for all major fires	( )
NRC (800)424-8802 NYS DEC 1-800-457-7362 (914)255-5453	to NRC, NYS DEC ONLY if threat to OFF-SITE HEALTH or	( ) ( ) ( )
Weather Information 800-992-7433	For prevailing winds	( )
Stewart Airport (914)564-2100	Notification of possible visual impairment	( )
Evacuation & Roll Call Assess nature and extent of released material, source, amount	Material:	( )
Hazards	To Emergency Response Personnel To the Environment To Off-Site areas	( )
Request Additional Assistance from: Fire Dept (561-3112) Ambulance (565-3320) Police (564-2200)		( ) ( ) ( )
Spill Contractor	Large Scale Clean Up	( )

# EMERGENCY RESPONSE CHECKLIST - CONT'D.

ACTION	REFERENCE	COMPLETE	
Complete the Response	Do not wash waste water residue into storm drains or the ground surface area		)
Clean-Up & Restoration of Emergency Equipment	To do:	(	)
Report to NYS DEC (914)255-5453	When resuming operations	(	)
Written Report to NYS DEC	Within 15 days	(	)

## SECTION V

# EMERGENCY EQUIPMENT

DESCRIPTION

LOCATION

CAPABILITIES

Fire Extinguisher

In all areas of potential fire hazard chemicals. Water as defined by local to cool equip. fire dept.

Foam for petro. fire.

Heavy Construction Yard

(Empty Tanks) In storage area

Spill Absorbent Gasoline/fuel-Materials oil and water Booms
Pads

#### SECTION VI

### COORDINATION AGREEMENTS

Following are brief descriptions of Emergency Assistance arrangements agreed to by local Emergency Response units:

## QUASSAICK FIRE DEPARTMENT - (914) 561-3112

- the Department will inspect the site at least once a year in order to familiarize themselves with:
  - the places facility personnel would normally be working,
  - entrances to the site,
  - location of fuel oil storage areas.

## NEW WINDSOR POLICE DEPARTMENT - (914) 564-2200

- the Department's primary function, in case of an emergency, is to maintain civil order in the streets adjacent to the site, to provide emergency medical assistance and to assist in the possible evacuation of the outside area.

## ST. LUKES HOSPITAL - (914) 561-4400

## HORTON HOSPITAL - (914)343-2424

- the Emergency Room at the Hospital is open 24 hours a day. All medical emergencies are received at the Emergency Room entrance.

#### SECTION VII

## EVACUATION PLAN

### EVACUATION CRITERIA

In the event that a fire, explosion or gasoline-oil spill emergency could pose an imminent threat to personnel health, life or safety, the Emergency Coordinator will evacuate the site. If evacuation is called for, the Emergency Coordinator will notify the New Windsor police Department (914)564-2200) of the potential threat to persons outside the plant site.

Examples of situations which would warrant partial or complete evacuation of the site include:

- Explosions, or potential explosions, which could result in either airborne debris (including tank fragments) or building (off-site) collapse.
- Fire, or potential for a major fire, which either cannot be contained or may result in the generation of smoke or toxic fumes.
- Spills or chemical reactions resulting in toxic fumes.
- All incidents where necessary protective equipment is not available to site Personnel.

VII-1

## SECTION VIII

#### **ADMINISTRATION**

## NOTIFICATION AND REPORTING OF INCIDENTS

There are two types of immediate notification which  $\underline{MAY}$  be required for incidents involving chemicals.

- A. If the Emergency Coordinator determines there has been a RELEASE, FIRE, OR EXPLOSION which could:
  - threaten human health or the environment <u>outside the</u> facility,

OR

- cause gasoline or fuel-oil to enter "waters of the state",

He shall immediately (upon discovery) notify (by telephone)

1. The National Response Center (800)424-8802

### AND

2. The NYS Department of Environmental Conservation (NYS DEC) 1-800-457-7362 914-255-5453

In both cases, the Emergency Coordinator will report the following information:

- 1. Name and telephone number of reporter.
- 2. Name and address of facility.
- 3. Time and type of incident (i.e.; release, fire).
- 4. Name and quantity of material(s) involved, to the extent known.
- 5. The extent of injuries, if any; and
- 6. The possible hazards to human health, or the environment, outside the facility.
  - B. In addition, if the Emergency Coordinator determines that evacuation of local areas may be advisable, he must immediately advise local authorities. In this case the appropriate local authority is the New Windsor Police Department (914) 564-2200.

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### NOTIFICATION BEFORE RESUMING OPERATIONS

If the Contingency Plan was implemented and immediate notification was made to the NYS DEC, the Emergency Coordinator will notify (telecom) the NYS DEC (914)255-5453 or 800-457-7362 that:

- All Petroleum Contaminated Soil (including clean-up residues) are contained on-site.
- All emergency equipment is cleaned and fit for its intended use before operations are resumed.

## WRITTEN REPORTS

Within 15 days after an incident involving hazardous waste, the Emergency Coordinator will submit a written report on the incident to the NYS DEC. The report must include:

- Name, address and telephone number.
- Date, time and type of incident (i.e.; spill).
- Name and quantity of material (s) involved.
- The extent of injuries, if any.
- An assessment of actual or potential hazards to human health or the environment, where this is applicable.
- Estimated quantity and disposition of recovered material that resulted from the incident.

### RECORD KEEPING

The Emergency Coordinator shall see that all incidents requiring implementation of the Contingency Plan are recorded and kept on file for at least three years. This record shall contain the date, time and details of the incident. Both a copy of the completed "Emergency Response Check List" and the copy of the written report to the NYS DEC shall be kept to satisfy this requirement.

## APPENDIX A

# DEPARTMENT OF TRANSPORTATION

## AND

# UNITED STATES COAST GUARD

# CHRIS (CHEMICAL HAZARD RESPONSE INFORMATION SYSTEM)

# GUIDES IN CASE OF EMERGENCIES INVOLVING CHEMICALS.

CHEMICAL NAME	DOT HAZARD CLASS	US DOT ID NO.	NAME OF GUIDE
Fuel oil (Diesel)	Combustible Liquid	1993	Oils, Fuel: 2-D
Gasoline	Flammable Liquid	1203	Gasolines- Automotive

# GASOLINES: AUTOMOTIVE (<4.23g lead/gal)

Common Synon Motor spirit Petrol	yeas Watery liquid	Cotoriess to pale Gasoline ador brown or pink	6. FIRE HAZARDS 6.1 Plant Point —38°F C.C.
7000	Plasts on water	. Planmable, inflating vapor is produced.	6.2 Pleasanable Limits in Air; 1 6.3 Pire Extinguishing Agents domins, dry chemical 6.4 Pire Extinguishing Agents
Stay upwind Stay upwind technic and t	ge if possible. Keep people is ion sources and cell fine deal and use water party to "timo emovs decharged material realth and pollution control a	ok down" vispor.	Used: Water may be me 8.5 Special Hearnts of Comb Predate: None 6.6 Sehavior in Pire: Vapor is and may travel consider source of ignition and fis
Fire	FLAMMABLE: Plearback along vapor by Vacor may explode if grid Extinguish with only charm Water may be instructive Cool exposed containers.	ed in an enclosed area. sal. loem, or carbon dioxide on fire	6.7 Igation Temperature: 95 6.8 Bestried Hazeré: Cises I. 6.9 Berstried Planet: 4 mov/mx. 6.10 Adiabatic Plane Tempera Data not available 6.11 Statishiomatric Air to Fiss Data not available 6.12 Plane Temperature: Data
Exposure	or loss of conscious? Move to Insch art. If breating has stopped, if breating is difficult, giv. LIQUID Insisting to skin and eyes. If sweatowed, will cause in Remove contermasted or. Electric literatures with	d throat.  see, headsche, difficult breathing  see. give arrincel respiration  e crygein  susses or vormating.  bring and shoes, penny of water  open and filters with planny of water  on a CONSCICUS, have victim drink water	7. CHEMICAL REACTS 7.1 Sessibility With Water: No 7.2 Resetivity with Common it resets of the Common it resets of the Common it 7.3 Stability Ouring Transport 7.4 Neutralizing Agents for Ac Causation: Not perture 7.5 Polymerization: Not perture 7.6 Inhibitor of Polymerization Not perment 7.7 Motor Ratio (Reactant to Product): Data not avail 7.8 Resetivity Group: 33
Water Poliution	HARMFUL TO AQUATIC Fouling to shoreline. May be dengerous if it en Notify local health and in Notify coerators of neerb	die officials.	
(See Response		LABEL     1.1 Category: Flammable liquid     2.2 Class: 3	8. WATER POLLUTIO  8.1 Aquatic Testolity: 80 ppm/24 hr/juvenile / ahad/Tl_/seeh water 91 mg/1/24 hr/juvenile shad/Tl_/seet water \$1 mg/1/24 hr/juvenile \$2. Waterfour Testolity: Data 1  8.3 Biological Oxygen Deman
CHEMICAL DESIGNATIONS     CO Competibility Class: Mecolansous hydrocarbon Meares     Fermale: (Mokare of hydrocarbons)     MO/UN Designation: 3.1/1203     CAS Registry Ms.: Date not evaluable		4. OBSERVABLE CHARACTERISTICS 4.1 Physical State (as oblipped): Liquid 4.2 Color: Coloriese to brown 4.3 Odor: Gesolme	8%, 5 days 8.4 Feed Chain Cencentration None
S.2 Symptomu Forderonian Induced enters lungs agree of two S.3 Treatment of rest if loud doctor) it so upo off and Shart Term in S.4 Treatment Life S.5 Shart Term in S.4 Testelby by M.7 Late Testelby:	setive Equipment: Protective desiring Exposure: Initiation of central nervous systems. Bination or, an more severe ce, it will cause severe initiation inchoprisamones and presume Exposure: Initiation inchoprisamones and presume in lungs. INGESTION: do proceede quartety is swellow towar with coop and water, sit Vehiez 300 ppm legislations (Linder: 900 ppm legislations Grade 2: LDoe = 6 None	of mucous membranes and straudation followed by veining of vapor may also cause disziness, headache, see, anesthese, come, and respiratory arrest. If louid i, coughing, gegging, pulmonary edema, and, letter, nats. Swellowing may cause fregular heartheset, arrisen respiration and administer oxygen; enforce bed NOT induce vorsang; stomach should be leveged by sci. EYES: week with copious quantity of water. SIGN: ir 30 mm.	9. SHIPPING BIFORM 9.1 Grades of Purity: Venous of Milery specifications 9.2 Sterrige Temperature: Ant 9.3 Interf Atmesphere: No req. 9.4 Veniting: Open (tems error pressure-vectum)
system if pr 5.9 Liquid or Sell	seent in high concentrations. Il influst Cherecterfellies le cause smarting and redden Mr. 0.25 ppm	The effect is temporary. Immum hexard. If spilled on clothing and allowed to	

6. FRE NAZARDS 6.1 Plants Point: —38°F C.C. 6.2 Placesable Lisable in Air 1.4%-7.4% 6.3 Pire Extinguishing Agentic Feam, carbon domids, dry chemical 6.4 Pire Extinguishing Agentic Hest to be Used: Water may be nethocitive 6.5 Special Hosenia of Combustion Production Freshoste: None 6.6 Behavior in Pire: Vapor is heavier than air and may travel considerable detence to a course of syntion and feath back. 6.7 gettlen Temperature: 85°F 6.9 Bentried Hosenic Close I, Group D 6.9 Burning Rate: 4 may/ms. 6.10 Adliabatic Flame Temperature: Date not available	18. NAZARD ASSESSMENT CODE (Bee Heard Assessment Handbook) A-T-U-V-W  11. NAZARD CLASSIFICATIONS  11.1 Code of Federal Regulations: Flammable load  11.2 NAS Heard Reting for Bulk Water Transportation: Category Reting Fire
Statishiometric Air to Fuel Retice     Date not evalable     Remo Temperature: Date not evalable	Poscoria 2 Water Polution Human Toworly 1 Aquetc Toworly 2
7. CHEMICAL REACTIVITY 7.1 Seasofwity With Water: No reaction 7.2 Reactivity with Common Materials: No reaction 7.3 Stability During Transpert: Stable 7.4 Neutralising Agents for Acids and Caustios: Not parinent 7.5 Polymerisation: Not parinent 7.6 Inhibitor of Pelymerisation: Not parinent 7.7 Moter Reso (Reaction) to Preduct; Data not evaluable 7.8 Resolivity Group: 33	Assentic Effect
8. WATER POLLUTION 8.1 Aquatic Tesicity: 80 ppm/24 h//wanite American	12. Physical AND CHEMICAL PROPERTIES  12.1 Physical State at 18°C and 1 stric. Liquid  12.2 Ministry Weight: Not pertnent  12.3 Boiling Point at 1 stric.  140—380°F  = 80—188°C = 333—472°K  Freezing Point: Not pertnent  12.5 Critical Temperature: Not pertnent  12.6 Critical Temperature: Not pertnent  12.7 Specific Gravity:
ehad/Ti_/fresh water  81 mg/1/24 hr/purerie American shad/Ti_/salt water  8.2 Waterfowl Textofty: Data not available  8.3 Sistopical Crygen Demand (BOD):  8%, 5 days  8.4 Feed Chain Concentration Potentick None	0.7321 at 20°C (liquid)  12.8 Liquid Burison Tension:  19-23 dynas /cm  = 0.0190.023 N/m at 20°C  12.9 Liquid Water inversocial Tension:  49-51 dynas /cm  = 0.0490.051 N/m at 20°C  12.10 Vapor (Gos) Specific Carevity: 3 4  12.11 Ratio of Specific Heats of Vapor (Gas):  (est.) 1.054  12.12 Latent Heat of Vaporisation:  100150 Bu/lb = 7181 csl/g  = 3 0 - 3 4 X 10° J/kg  12.13 Heat of Combustion: -18,720 Bu/lc  = -10.400 Csl/g = 435 1 X 10° J/kg
S. SHIPPING INFORMATION S.1 Grades of Purity: Vanous octane ratings: military specifications S.2 Storage Temperature: Antherit S.3 Inert Atmesphere: No requester) or pressure-vacuum	12.14 Host of Decomposition: Not periment 12.15 Host of Boulston: Not periment 12.16 Host of Physicarization: Not periment 12.25 Host of Physicarization: Not periment 12.25 Limiting Value: Data not available 12.27 Reid Vapor Pressure: 7 4 pag
	OTES

# OILS: DIESEL

Commun Bymony Fuel of 1-0 Fuel of 2-0		Yellow-brown Lube or fuel oil ador	6. FINE MAZANDS 6.1 Planth Points (1-D) 100°F C.C.; (2-D) 128°F C.C.	16. NAZAID ASSESSMENT CODE (Boo Hazard Assessment Hundbook) A-T-U
	Process on 1	glar.	6.2 Plummable Limits in Air: 1.3-6.0 vol.% 6.3 Pire Entinguishing Agentus Dry channels.	#1 <del>1</del> 2
Stop dechary Call five depa Avoid contact scores and re heavy local fi	rement	y agences	team, or centron dender 6.4 Pire Entinguishing Agents Not to be Used: Water may so insufficient 6.6 Special Homeron of Combustion Products: Not personn 6.7 Systemics in Pire: Not personn 6.7 Systemics in Pire: Not personn 6.7 System Temperature (1-0) 300-625°F	11. IMAZARD CLASSIFICATIONS 11.1 Oude of Pederal Regulations: Combustible based 11.2 IMAS Humand Resting for Bulk Water Transportation: Not based
Fire	Combanities. Enriquen with any ch Water may be inerted Cool esposed contain	writcell, loem, or cerbon dicesde we on the are with weter	(2-0) 400-461°F  6.5 Statifical Hearn't Not partners 6.9 Service Rate: 4 mou/ner, 6.10 Addabatis Places Tumperspars: Cota not available 6.11 Statification for Air to Paul Rate: Cota not available 6.12 Places Tumperspars; Data not available	11.3 NPPA Hazard Clearlifeator: Category Clearlifeation Health Hazard (Bun) 0 Planametrity (Red) 2 Rescribity (Vellow) 0
Exposure	CALL FOR MEDICAL LIQUID Integring to stan and e Hearmal at suestioned. Remove contamnates Flush affected areas If IN EYES, nod are FSWALLCWED and or mail- DO NOT INDUCE VO	yes.  clothing and shoes with peenly of water ds open and flush with plently of water upon a CONSCIOUS, have victim drink weter	7. CHEMICAL REACTIVITY 7.1 Resolivity With Water: No reaction 7.2 Resolivity with Common Materials: No reaction 7.3 Standily During Transport: Stable 7.4 Resolivity During Transport: Stable 7.5 Polymortalisine; Not perinent 7.5 Polymortalisine; Not perinent 7.6 Intelliber of Polymortalisine; Not perfinent 7.7 Mater Ratio (Resolates to Product): Date not available 7.8 Resolivity Group: 33	
Water Pollution	Fouriers to shoreline.	Sile in high concentrations.  It enters water intakes.  I window Officials  provided intakes	-	12. Physical And Chemical Properties 12.1 Physical Buse at 18°C and 1 stre: Legad 12.2 Melesser Weight: Not pertnerel 12.3 Beiling Peers at 1 stre: 550—640°F
(Bee Responds Mechanical Should be n	RSE TO BISCHARGE Motheds Handbook) contaminant	2. LABEL 2.1 Category: None 2.2 Clear Hot periment	WATER POLLUTION     Aquatic Teachety:     204 mg/1/24 for/parentic American shed/Tilly-bash vester     9.2 Waterfeet Teachety: >20 ml/kg     /LD-or/materost     8.3 Seological Onygen Demand (SOD):     Data not evaluation	= 288—338°C = 561—612°K  12.4 Presiding Polinit: 0 to —30°F = —18 to —34°C = 255 to 238°K  12.5 Critical Temperature: Not perment  12.7 Specific Growly: 0.841 at 18°C (liquid)  12.8 Liquid Surface Tension: (est.) 25 dynesion = 0.025 N/m s:
3.1 CG Computable Hydrocarbon 3.2 Permate: Not at 3.3 MIG/UN Design 3.4 DOT ID No.: 12	opicable nation: 3.1/1270	4. OBSERVABLE CHARACTERISTICS 4.1 Physical State (se shapped): Legad 4.2 Ceter: Lipit brown 4.3 Obser: Like fuel of	8.4 Food Chain Concestration Potential: None	20°C  12.9 Liquid Water Interlocks Tension: (est.) 50 dynes/on = 0.05 N/m at 2'  12.10 Vaper (Gae) Specific Gravity: Not perferent  12.11 Ratio of Specific Hosts of Vapor (Gae) Not perferent  12.12 Latent Host of Vaportastion: Not perferent
8.2 Symptoms Fe will coor f 3.3 Treatment of and water. E 4.4 Tirresheld Lin 6.5 Short Term in 8.6 Treatment by 8.7 Late Treatment 9 Super (Stee) is opened of per 1.5 Light or Seek remain. may	selive Equipment: Gog Revolng Expensive: If its Expensive: If Its Its years with community Value: No single: TLV healther. Lattice: Date in question: Grand 1; LDu- Date not available vitted Cherustovilles: search in high concentral of bylined Cherustovilles: column treating and red did: Date and available.	nd a ingested, an increased frequency of bowel movement do NOT indices veniting. SIGN: were sit, wash with seep amounts of water for all least 15 mm. application. It evaluates is \$10.15 g/kg. /apons cause a sight emerting of the eyes or recorretory inc. Minimum heared. If spilled on clothing and allowed to	9. SIMPPING INFORMATION 9.1 Grades of Purity: Dissol Fuel 1-D (ASTM); Dissol Fuel 2-D (ASTM) 9.2 Storage Testersphere, Ambert 9.3 Inert Abmagafare: No requirement 9.4 Venting: Open (Rame arrestar)	12.13 Heat of Combustion: —18.400 Blu/b =—10.200 cal/g = 4.29 X 10 <sup>4</sup> J/ug 12.14 Heat of Decomposition: Not perment 12.16 Heat of Solution: Not perment 12.16 Heat of President Not perment 12.19 Heat of President Date not evaluable 12.25 Heat of President Date not evaluable 12.27 Read Vapor President: Varios
and vent	to- <del></del>			OTES .

